

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE APPLICATION :
FOR LICENSURE AS A CERTIFIED :
RESIDENTIAL APPRAISER OF : FINAL DECISION AND ORDER
:
KARI L. TOLLEFSON, : LS0702157APP
:
APPLICANT. :

Division of Enforcement Case No. 06 APP 123

The parties to this action for the purposes of Wis. Stats. Sec. 227.53 are:

Kari L. Tollefson
1447 Cummings Avenue
Eau Claire, WI 54701

Real Estate Appraisers Board
P.O. Box 8935
Madison, WI 53708 8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708 8935

PROCEDURAL HISTORY

The parties in these matters agree to the terms and conditions of the attached Stipulation as the final decision of the matter(s), subject to the approval of the Secretary of the Department of Regulation and Licensing ("Secretary"). The Secretary has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Secretary adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Kari L. Tollefson ("Tollefson"), whose last known address of record with the Department of Regulation and Licensing ("Department") is 1447 Cummings Avenue, Eau Claire, Wisconsin 54701, holds a certificate of licensure as a licensed appraiser (#4-446). She was first granted the license and certificate on April 27, 1993, pursuant to Wis. Stat. ch. 458. The license and certification will expire on December 14, 2007.

2. Ms. Tollefson submitted an application for a certificate of certification and a certificate of licensure as a certified residential appraiser. After review of work samples submitted by Applicant, the Department's Real Estate Appraiser Application Advisory Committee recommended that the Department deny Ms. Tollefson's application because her work experience did not substantially comply with the Uniform Standards of Professional Appraisal Practice, contrary to Wis. Admin. Code § RL 83.01(1a), (3)(a).

3. Upon reconsideration, some of the comments of the reviewer may be in error. Consideration of the remaining comments shows that the reviewer found the basic quality of the appraisal to be acceptable, but that Ms. Tollefson would benefit from remedial education.

4. Ms. Tollefson has not previously been disciplined by the Wisconsin Real Estate Appraisers Board.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in these matters pursuant to Wis. Stats. § 458.06.

2. The Wisconsin Department of Regulation and Licensing has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stats. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Kari L. Tollefson** shall be issued a certificate of certification and certificate of licensure as a certified residential appraiser following proof of completion of all requirements (except the experience requirement) and successful completion of the following courses as remedial education, which shall not count towards her continuing education requirements: (a) Real Estate Fraud: The Appraiser's Responsibilities and Liabilities (7 hours), if offered by the Appraisal Institute in the state of Wisconsin during the 2007 calendar year; and (b) Residential Report Writing (15 Hours) offered by CVTC, Menominee Campus. Successful completion shall include receipt of a passing grade in all coursework, including any examination, if available.

IT IS FURTHER ORDERED that:

2. Respondent shall pay costs of the investigation of her qualifications for licensure in the amount of one hundred and fifty (\$150.00) dollars within sixty (60) days of the signing of this Order.

3. All payments and information required by this order to be submitted to the Department Monitor shall be mailed or delivered to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 261-7904, Fax (608) 266-2264

4. Case number 06 APP 123 is hereby closed.
5. This Order is effective on the date of its signing.

STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: **Celia M. Jackson, Secretary**

2/15/07

**STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING**

IN THE MATTER OF THE APPLICATION :
FOR LICENSURE AS A CERTIFIED :
RESIDENTIAL APPRAISER OF : **STIPULATION**
:
KARI L. TOLLEFSON, : **LS** _____
:
APPLICANT. :

Division of Enforcement Case No. 06 APP 123

It is hereby stipulated and agreed, by and between Kari L. Tollefson, Applicant; and Mark A. Herman, attorney for the State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation resolves a request for hearing regarding the denial of an application for certification and licensure as a certified residential appraiser of Kari L. Tollefson (“Applicant”), by the Department of Regulation and Licensing (“Department”) (06 APP 123). Applicant consents to the resolution of this matter by stipulation and without hearing.
2. Applicant understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing, at which time she has the burden of proving her qualification and fitness for licensure by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the Secretary of the Department (“Secretary”); the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Applicant has been provided with the opportunity to obtain legal counsel prior to signing this Stipulation.
4. Applicant agrees to the adoption of the attached Final Decision and Order by the Secretary. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Applicant waives all rights to any appeal of the Secretary’s order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Secretary, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Secretary, the parties agree not to contend that the Secretary has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement may appear before the Secretary in open or closed session, without the presence of the Applicant or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Secretary may have in connection with her consideration of the Stipulation.
7. Applicant is informed that should the Secretary adopt this Stipulation, the Secretary’s final decision and order is a public record and will be published in accordance with standard Department procedure.
8. The Division of Enforcement joins Applicant in recommending the Secretary adopt this Stipulation and issue the attached Final Decision and Order.

KARI L. TOLLEFSON

Date

Applicant
1447 Cummings Avenue
Eau Claire, WI 54701

MARK A. HERMAN
Attorney, Division of Enforcement
1400 East Washington Avenue
Madison, WI 53708-8935

Date