

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF THE  
LICENSE OF  
LS0401301APP  
GREGORY W. KORT,  
APPLICANT.

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FINAL DECISION AND ORDER

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The parties to this action for the purposes of section 227.53 of the Wisconsin Statutes are:

Gregory W. Kort  
2840 S. 91<sup>st</sup> St.  
West Allis, WI 53227

Department of Regulation and Licensing  
Division of Enforcement  
PO Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Secretary of the Department of Regulation and Licensing or her designee. The Department Secretary has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department of Regulation and Licensing adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. On or about September 18, 2002, Gregory W. Kort (Applicant) filed an application with the Department of Regulation and Licensing for a certified general appraiser's license in Wisconsin.
2. As part of the application process, appraisals received from Applicant were reviewed and the Real Estate Appraisers Board determined that the following 5 appraisals did not meet the Uniform Standards of Professional Appraisal Practice (USPAP):

Mt. Calvary Lutheran School  
Racine Office Building  
Western Star Trucks  
Chevron Products Company Pascagoula Refinery  
Occidental Petroleum Corporation Lake Charles Olefins Plant

3. Because the appraisals failed to meet the USPAP, the Department of Regulation and Licensing denied his application on October 1, 2003.
4. On or about February 11, 2004, Applicant successfully completed the Appraisal Institute's course I410N – 15- hour National USPAP Course at Chicago Chapter Education Center.
5. In resolution of this matter, Applicant consents to the issuance of the following Conclusions of Law and Order.

**CONCLUSIONS OF LAW**

1. The Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to §§458.03(1)(a) and 458.26(3)(i), Wis. Stats.
2. By the conduct referred to above in paragraph 2, Applicant has violated §458.06(3)(e), Wis. Stats. and §RL 83.01(3)(a), Wis. Admin. Code.

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Applicant is granted a certified general appraiser's license.
2. That Applicant's certified general appraiser's license is hereby LIMITED for a period of six (6) months as follows:
  - a. Commencing on the date of this Order, all appraisals produced by Applicant and/or any firm owned or operated by him, shall be reviewed by a supervising certified general appraiser who is licensed in the State of Wisconsin.
  - b. Reviews by the supervising appraiser shall be completed prior to the release of any such appraisal to any client or other member of the public. The supervising appraiser shall determine that Applicant's appraisals fully comply with all rules and regulations for certified general appraisers. Applicant and/or his firm shall make any and all corrections to the appraisal as noted by the supervising appraiser prior to the release of any such appraisal to any client or other member of the public.
  - c. The supervising appraiser shall submit three (3) written reports, one every two months, to the Department indicating Applicant's compliance with the rules and regulations for certified general appraisers. The written reports shall also indicate Applicant's activities and progress in his practice as a certified general appraiser. All reports shall be submitted to the Department, for a period of six months beginning from the date of this Order. Each report shall contain one (1) appraisal performed by Applicant during the period of limitation which has been reviewed by the supervising appraiser. The Department will review the reports and appraisals for compliance with all rules and regulations for certified general appraisers.
  - d. Submittals shall be made to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
PO Box 8935  
Madison, WI 53708-8935
  - e. Applicant shall not engage the services of any certified general appraiser as an employee during the period of limitation on his license.
  - f. The terms and conditions of this license limitation may only be modified by further written Order of the Real Estate Appraisers Board (Board). Applicant may at any time petition the Board and seek modification of any limitation. The decision whether to grant the petition shall be in the sole discretion of the Board. The Board may require Applicant to make a personal appearance before it for the purpose of requesting further information. If Applicant believes that the Board's refusal to modify or end a limitation imposed or maintained by the Board is inappropriate, Applicant may seek a class 1 hearing pursuant to Wis. Stats., §227.01(3)(a), in which the burden shall be on Applicant to show that the decision is arbitrary or capricious. The limitations on Applicant's license shall remain in effect until there is a final decision in Applicant's favor on the issue.
  - g. If, at the end of the term of the limitation, Applicant fails to submit appraisals that fully comply with all rules and regulations for certified general appraisers, the matter may be forwarded to the Department's Division of Enforcement for disciplinary action.

3. Violation of any term or condition of this Order may constitute grounds for revocation of Applicant's license to practice as a certified general appraiser in Wisconsin. Should the Board determine that there is probable cause to believe that Applicant has violated the terms of this Order; the Board may order that Applicant's license be summarily suspended pending investigation of and hearing on the alleged violation.
4. This Order shall become effective upon the date of its signing.
5. File 03 APP 035 be, and hereby is, closed.

DEPARTMENT OF REGULATION AND LICENSING

Donsia Strong Hill  
Secretary

4-26-04  
Date