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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	LS0503023APP
DEANNE K. LANE,	:	
RESPONDENT.	:	

The parties to this action for the purposes of Wis. Stat. sec. 227.53 are:

Deanne K. Lane
258 East Washington Street
Jefferson, WI 53549

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

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Deanne K. Lane (Date of Birth: August 20, 1957) possesses a certificate of licensure to practice in the state of Wisconsin as a Licensed Appraiser (using certificate number 4-1075). This certificate was first granted on September 15, 1997, and is current until December 31, 2005.
2. Ms. Lane's most recent address known to the Department of Regulation and Licensing is 258 East Washington Street, Jefferson, WI 53549.
3. Each person possessing a certificate to practice as a Licensed Appraiser in the state of Wisconsin must renew those certificates of licensure and certification biennially, by January 1 of each even-numbered year. [Wis. Stat. sec. 440.08(2)(a)12]
4. To be eligible to renew the certificate of licensure for the next biennial registration period, the licensee must have completed at least 28 hours of Department approved continuing education in the previous biennial registration period. [Wis. Stat. Sec. 458.13, and Wis. Admin. Code § RL 85.01(1)]
5. Prior to January 1, 2004, the Wisconsin Department of Regulation and Licensing sent Ms. Lane a Real Estate Appraiser Renewal Application to execute and return with the required fee if Ms. Lane wished to renew her certificate of licensure in the state of Wisconsin for the January 1, 2004, through December 31, 2005, biennium.

That Real Estate Appraiser Renewal Application contains the following language, immediately above the line which Ms. Lane was to date and sign:

“I have completed 28 hours of Department-approved education credits, including at least 4 hours in the Uniform Standards of Professional Appraisal Practice (USPAP), between January 1, 2002 and December 31, 2003. I have evidence of this which I will furnish to the Department upon request.”

That Real Estate Appraiser Renewal Application contains the following language immediately below the line which Ms. Lane was to date and sign:

“MAKING A FALSE STATEMENT IN CONNECTION WITH ANY APPLICATION FOR LICENSE IS
GROUNDS FOR REVOCATION OR
DENIAL OF THAT LICENSE.”

6. Ms. Lane signed and returned the Real Estate Appraiser Renewal Application certifying that she had completed the continuing education requirements of the Real Estate Appraisers Board during the January 1, 2002, through December 31, 2003 biennium. A copy of the Real Estate Appraiser Renewal Application, dated December 23, 2003, is attached as Exhibit A and is incorporated herein by reference.
7. On February 9, 2004, as part of a random audit which the Real Estate Appraisers Board conducted of its licensees, Ms. Lane was sent a letter requesting that she send the Board verification that she had completed the 28 hours of approved continuing education, which she claimed to have completed prior to renewing her license for the January 1, 2004, through December 31, 2005, biennium.
8. Ms. Lane submitted documentation that she had completed the 28 hours of approved continuing education hours during the January 1, 2002, through December 31, 2003, biennium. Ms. Lane, however, did not provide documentation that she had completed the required 4 hours of board approved USPAP continuing education that were required to be completed in the total 28 hours of continuing education.
9. Ms. Lane did not complete the required 4 hours of board approved USPAP continuing education, during the January 1, 2002, through December 31, 2003, biennium, prior to renewing her license for the January 1, 2004, through December 31, 2005, biennium.
10. Ms. Lane submitted documentation on November 14, 2004 that she completed 4 hours of board approved USPAP continuing education credits on October 12, 2004. She sought to apply those 4 hours to the January 1, 2002, through December 31, 2005, biennium.
11. Ms. Lane made a material misstatement on her December 23, 2003, renewal application when she attested that she had completed 4 hours of board approved USPAP continuing education during the January 1, 2002, through December 31, 2003, biennium.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction over this matter, pursuant to Wis. Stat. sec. 458.26, and Wis. Admin. Code Ch. RL 85.
2. The Wisconsin Real Estate Appraisers Board is authorized to enter into the attached stipulation, pursuant to Wis. Stat. sec. 227.44(5).
3. By not completing the required 28 continuing education credits during the required time frame Deanne K. Lane has violated:
 - a. Wis. Stat. sec. 458.13. Continuing Education Requirements.
 - b. Wis. Stat. sec. 458.26(3)(a). Made a material misstatement in an application for the certificate or renewal of the certificate or in any other information furnished to the Board or Department.

- c. Wis. Stat. sec. 458.26(3)(b), Stats. Engaged in unprofessional conduct in violation of rules promulgated under Wis. Stat. sec. 458.24.
- d. Wis. Stat. sec. 458.26(3)(i). Violated this chapter or any rule promulgated under this chapter.
- e. Wis. Admin. Code sec. RL 85.01. Continuing Education Requirements.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Deanne K. Lane (certificate #4-1075) is hereby **REPRIMANDED**.
2. **IT IS FURTHER ORDERED** that Ms. Lane shall pay a forfeiture in the amount of **five hundred dollars (\$500.00)**; and the **amount of two hundred dollars (\$200.00)** partial **assessment of costs** of this proceeding, all to be paid within **one hundred twenty (120) days** of the effective date of the Board's Order adopting the Stipulated Agreement (The effective date of the board's Order is the date of signing by the Board's chair or his designee).
3. The assessed forfeiture and partial assessment of costs shall be payable by cashier's check or money order made payable to the Department Monitor (Place case number on the check or money order and the words "Forfeiture" and/or "Costs").

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, WI 53708-8935

4. If Deanne K. Lane shall fail to pay the forfeiture and partial assessment of costs, then Deanne K. Lane shall be considered to be in violation of the Board's Order and may be subjected to further discipline.
 - a. The Department of Regulation and Licensing, pursuant to Wis. Stat. sec. 458.26(5), reserves the right to appeal the Board's Final Decision and Order.

REAL ESTATE APPRAISERS BOARD

By:	La Marr Franklin	3-2-05
	On Behalf of the Board	Date