

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
JAMES J. MONETTE,	:	LS0503025APP
RESPONDENT.	:	

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

James J. Monette
10 Lambeth Cir.
Madison, WI 53711

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Real Estate Appraisers Board
Department of Regulation & Licensing
1400 East Washington Avenue
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 disposition 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. James J. Monette (“Monette”), date of birth 02/10/68, is duly licensed as an Appraiser in the State of Wisconsin, license # 4-878, which was first granted on 08/28/1994. Monette’s most recent address on file with the Department of Regulation and Licensing is 10 Lambeth Cir., Madison, WI 53711.

2. On or about October 21, 1998, Monette conducted an appraisal of a residential property located at 160 Goldville, Briggsville, WI.

3. Monette incorrectly transcribed information from the MLS data for comparable #4.

4. Monette failed to list the 3/4 bath in comparable # 3.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 458 and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. By failing to exercise due diligence by incorrectly transcribing MLS data in comparable #4 and by failing to list

bath in comparable # 3, Monette engaged in conduct that constitutes a violation of USPAP Standards Rule 1-1(c), and thereby constitutes a violation of Wis. Stat. § 458.26(3)(b) and Wis. Admin. Code § RL 86.01(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. James J. Monette, be, and hereby is REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent shall, within sixty (60) days from the date of this Order, pay partial costs of this proceeding in the amount of four hundred (\$400.00) dollars. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event that the Respondent fails to timely submit any payment of the partial cost as set forth above, Respondent's license (4-878) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

4. This Order is effective on the date of its signing.

REAL ESTATE APPRAISERS BOARD

By:	La Marr Franklin	3-2-05
	A Member of the Board	Date