

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 A REAL ESTATE APPRAISER :
LICENSE OF :
 : FINAL DECISION AND ORDER
CARMEN PURVIS, :
APPLICANT : LS 0504081 APP

Division of Enforcement Case File # 05 APP 022

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Carmen Purvis
2773 N 38th St.
Milwaukee, WI 53210

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 disposition of this matter, subj the approval of the Department Secretary. The Department Secretary has reviewed this Stipulation and considers it acceptable

Accordingly, the Department adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **Carmen Purvis**, date of birth 12/13/75, applied for an appraiser’s license on or about August 31, 2004. Mr. Purvis’s most recent address on file with the Department of Regulation is 2773 N 38th St., Milwaukee, WI 53210.
2. The Department of Regulation and Licensing denied this application on February 4, 2005.
3. Mr. Purvis requested a hearing on the denial of his application for a license within 45 days of receiving the denial.
4. Mr. Purvis has been convicted of the following crimes in Wisconsin:

Misdemeanor conviction- disorderly conduct in 1994,
Misdemeanor conviction- disorderly conduct in 1996,
Misdemeanor conviction- disorderly conduct; felony-escape-criminal arrest in 1997,
Misdemeanor conviction- possession of THC in 2000,
Felony-uttering in 2000,
Misdemeanor – operating while revoked 2003.

In a statement provided to the Village of Pewaukee Police Department by Mr. Purvis, Mr. Purvis explained the circumstances of his conduct which resulted in the felony-uttering conviction. Mr. Purvis explained that he was asked by two acquaintances to cash a payroll check that showed Mr. Purvis as the payee and the payor as a trucking company that Mr. Purvis was not employed at. The amount of the check was approximately \$4,000.00. Mr. Purvis cashed the check and gave the money to one of the acquaintances. In return Mr. Purvis received

\$300.00. Later, the two acquaintances encouraged Mr. Purvis to cash a second check. Mr. Purvis agreed and received \$250.00 dollars. Mr. Purvis was found guilty of Felony-uttering and sentenced to one year in prison and five years probation.

5. The circumstances of the felony conviction for uttering detailed above substantially relate to the practice of a real estate appraiser.

6. Mr. Purvis is on probation until August 2006.

MITIGATING CIRCUMSTANCES

Mr. Purvis has had no further arrests or convictions since 2000, other than a moving vehicle violation in 2003. Since that time he has obtained custody of two children from a previous relationship and is currently living with the mother of his most recent additions to his family, twins. Mr. Purvis is anxious to provide a good home and stability for his family.

Mr. Purvis has successfully completed courses in real estate appraising at Waukesha Technical College and has also successfully completed the state examination on statutes and rules relating to real estate appraisal.

Mr Purvis provided the Department with several letters of recommendation including:

Pastor Ray Gill Sr., "Mr. Purvis has overcome many barriers in his life and he has continually shown that adversities can become benchmarks to success. Mr. Purvis is a young man who has become very goal oriented and has strived to optimize every opportunity to further himself",

Real estate appraiser class instructor Peter Weissenfluh, "Mr. Purvis was a serious student and was successful in class. I can vouch for his character during my experience with him",

Mortgage lender for Alliance Mortgage Lamont Sargent, "He's a soft spoken individual, and very dedicated to his family, friends and job. He's a hard working person who does not except little effort, [sic] and always putting forth the extra effort, not to only benefit himself, but to benefit others around him",

President/CEO of White Glove Group, Inc., London Thomas, "Carmen has been a hard working employee of the company for the past 2 (two) years. Carmen has proven himself to be dependable and committed to whatever task is before him. Carmen took it upon himself to learn many different aspects of the business, thus becoming more of an asset. Carmen is respectful, honest, trustworthy, and is always willing to go above and beyond the call of duty",

Mortgage lender for Statewide Mortgage & Lending Corp., Lloyd Blakley, "I have known Mr. Purvis for the last fifteen plus years of my life, and he has a lot of integrity in the work that he has done for my company. I would refer Mr. Purvis's services to a number of my colleges based on the past experiences that I've had in doing business with him",

Mr. Purvis' probation agent, Thomas Salter, "Mr. Purvis has done well on supervision and is on track to complete successfully on 08/25/2006. It is my opinion that Mr. Purvis is of a very low risk to re-offend. He appears to have learned a valuable lesson from probation, and wants to get his life on a more pro-social track. Being denied a license would be a serious setback for Mr. Purvis".

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 458.03, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. The conviction record detailed above constitutes convictions that substantially relate to the practice of real estate appraisal within the meaning of Wis. Stat. § 111.335(1)(c)(1), and the Department's initial denial of Mr. Purvis' application was not an abuse of discretion.

3. The Department may consider other factors in the decision whether to issue a license, and it has the authority under Wis. Stat. §§ 458.03(1)(a) and 458.26(3) to issue a limited license to Mr. Purvis.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Carmen Purvis** be, and hereby is, granted a limited license as a real estate appraiser, upon the following limitations:
 - a. The effective date of the license shall be the date upon which the department is notified that Mr. Purvis has successfully completed the national examination required for licensure and has met all other licensing requirements.
 - b. Mr. Purvis shall practice as a real estate appraiser only as an employee of an employer (Supervising Employer) who is a licensed appraiser or appraisal firm and who agrees to comply with the following:
 - c. The Supervising Employer shall prepare written quarterly reports according to a schedule established by the Department Monitor describing Mr. Purvis's activities and progress in his employment. The Department Monitor is the individual who coordinates compliance with the terms of this order. The monitor may be reached at:

Department Monitor
Department of Regulation and Licensing
P.O. Box 8935
Madison, Wisconsin 53708-8935
FAX (608) 266-2264
Tel. (608) 267-3817
E-mail: department.monitor@drl.state.wi.us
 - d. The Supervising Employer shall be a licensed appraiser or licensed appraisal company in good standing with no prior discipline, and shall submit a statement to the Department Monitor that the Supervising Employer agrees to accept the responsibilities of the Supervising Employer under the terms of this order.
 - e. Mr. Purvis shall provide a complete copy of the Department's Final Decision and Order to the Supervising Employer for that employer to immediately notify the Department Monitor if the Mr. Purvis violates the terms of the order.
 - f. Mr. Purvis shall provide a complete copy of the Department's Final Decision and Order to his probation agent, and arrange for his probation agent to immediately notify the Department Monitor if the applicant violates the terms of the order; including but not limited to the terms of his probation.
 - g. Mr. Purvis shall be responsible for submission to the Department Monitor of formal written reports prepared by the Supervising Employer describing Mr. Purvis' activities and progress in his employment on a quarterly basis according to a schedule established by the Department Monitor.
 - h. Mr. Purvis's license shall be subject to immediate suspension without further notice, should he be arrested or convicted of a crime or violate the terms of his limited license.
 - i. The period of limitation shall be two years at which time, without further arrests or convictions and with satisfactory quarterly employment reports, Mr. Purvis may petition the department for termination or reduction of the limitations on his license.

Dated at Madison, Wisconsin this 15th day of June, 2005.

Celia M. Jackson
Secretary or Designee
Department of Regulation and Licensing