

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER  
:  
LISA J. MOYE, : LS06101821APP  
RESPONDENT. :

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Division of Enforcement Case No. 06 APP 032

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

Lisa J. Moye  
126 Shepard St.  
Ripon, WI 54971

Real Estate Appraisers Board  
Post Office Box 8935  
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
Post Office Box 8935  
Madison, Wisconsin 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. Lisa J. Moye (Date of Birth: 6/28/68) possesses a certificate of licensure and a certificate of certification to practice in the state of Wisconsin as a Certified General Appraiser (certificate number 10-941). This certificate was first granted on 05/22/98, and is current through 12/14/07.
2. Ms. Moye's most recent address known to the Department of Regulation and Licensing is 126 Shepard St., Ripon, WI 54971.
3. Each person possessing certificates of licensure and certification to practice as a Certified General Appraiser in the state of Wisconsin must renew that certificate of licensure and certification biennially, by January 1 of each even-numbered year. [Wis. Stat. secs. 440.08(2)(a)11m and 440.08(2)(a)12]
4. To be eligible to renew the certificate of licensure and certification 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 December 31, 2005, the Wisconsin Department of Regulation and Licensing sent Ms. Moye a Real Estate Appraiser Renewal Application to execute and return with the required fee if Ms. Moye wished to renew her certificate of licensure and certification in the state of Wisconsin for the January 1, 2006, through December 14, 2007, biennium. The printed Real Estate Appraiser Renewal Application that Ms. Moye received contains the following language:

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

6. Ms. Moye filled out 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, 2004, through December 31, 2005, biennium.

7. As part of a random audit which the Real Estate Appraisers Board conducted of its licensees, Ms. Moye was sent a letter, dated January 27, 2006, requesting that she send the Board verification that she had completed the 28 hours of approved continuing education, which she had claimed to have completed prior to renewing her certificate of licensure and certification for the January 1, 2006, through December 14, 2007, biennium.

8. On February 6, 2006, Ms. Moye submitted course documentation showing that she completed the required courses in 2006.

9. Ms. Moye did not complete the required 28 hours of approved continuing education during the January 1, 2004, through December 31, 2005, biennium, prior to renewing her certificates for the January 1, 2006, through December 14, 2007, biennium.

10. Ms. Moye made a material misstatement on her renewal application when she attested that she had completed 28 hours of approved continuing education during the January 1, 2004, through December 31, 2005, 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 Lisa J. Moye 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). 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. **Lisa J. Moye** (certificate #10-941) is hereby **REPRIMANDED**.

2. That Ms. Moye shall pay a **forfeiture** in the amount of **FIVE HUNDRED dollars (\$500.00)** within 120 days from the date of this Order.

3. That Ms. Moye shall pay **costs** in the amount of **ONE HUNDRED dollars (\$100.00)** within 120 days from the date of this Order.

Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed 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. 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 Respondent fails to timely submit any payment of the forfeiture or costs as set forth above, Respondent's license # 10-941 SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

5. This Order shall become effective upon the date of its signing.

6. File 06 APP 032 be, and hereby is, closed.

REAL ESTATE APPRAISERS BOARD

|     |                        |            |
|-----|------------------------|------------|
| By: | Mark P. Kowbel         | 10-18-2006 |
|     | On Behalf of the Board | Date       |

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF \_\_\_\_\_ :  
DISCIPLINARY PROCEEDINGS AGAINST \_\_\_\_\_ : STIPULATION  
\_\_\_\_\_  
LISA J. MOYE, \_\_\_\_\_ : LS \_\_\_\_\_ APP  
RESPONDENT. \_\_\_\_\_ :

Division of Enforcement Case No. 06 APP 032

It is hereby stipulated between Lisa J. Moye, Respondent, and John C. Temby, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Ms. Moye by the Division of Enforcement (06 APP 032). Ms. Moye consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Ms. Moye understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations 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 officials who are to render the final decision; 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, and the Wisconsin Administrative Code.
3. Ms. Moye is aware of her right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this Stipulation.
4. Ms. Moye agrees to the adoption of the attached Final Decision and Order by the Real Estate Appraisers Board (hereinafter "Board"). 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. Ms. Moye waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board 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 and the member of the Board assigned as advisor in this investigation may appear before the Board in open and closed session, without the presence of Ms. Moye or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation.
7. Ms. Moye is informed that should the Board adopt this Stipulation, the Final Decision and Order is a public record and will be published in accordance with standard Department procedures.
8. The Division of Enforcement joins Lisa J. Moye in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

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**Lisa J. Moye,**  
Respondent  
126 Shepard St.  
Ripon, WI 54971  
License number: 10-941

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Date

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**John C. Temby**  
Attorney  
Division of Enforcement  
Department of Regulation and Licensing  
PO Box 8935  
Madison, WI 53708-8935

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Date