

# 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           | : | <b>FINAL DECISION AND ORDER</b> |
| <b>JULES F. PARMENTIER,</b>   | : | LS06101823APP                   |
| RESPONDENT.                   | : |                                 |

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Division of Enforcement case file 05 APP 074

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

Jules F. Parmentier  
P.O. Box 161  
Sturgeon Bay, WI 54235

Wisconsin 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 disposition of this matter, subject to the approval of the Wisconsin Real Estate Appraisers Board (“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. Jules F. Parmentier is licensed in the State of Wisconsin as a Certified General Appraiser having license #10-67. This license was first granted to him on October 24, 1991. Jules F. Parmentier’s most recent address on file with the Department of Regulation and Licensing (“Department”) is P.O. Box 161, Sturgeon Bay, WI 54235.
2. Mr. Parmentier performed an appraisal of property on Highway 57 in Luxemburg, Wisconsin as of August 5, 2005. The purpose of the appraisal was to establish Just Compensation for the taking of property by the Wisconsin Department of Transportation (“DOT”) under the eminent domain provisions of section 32.09 of the Wisconsin Statutes.
3. The portion of the property to be taken by the DOT would have split the property into two parts. Mr. Parmentier described one of the parts as “land-locked” because it was separated from the other part, even though it could be accessed by a road. This was a misleading use of the word “land-locked” when not explained further in the report.
4. Mr. Parmentier described one of the parts as “unusable” because its acreage was below the minimum building lot size in the township, even though it had some value as assemblage to the neighboring property. This was a misleading use of the word “unusable” when not explained further in the report.
5. Mr. Parmentier described Comparable Sale number 1 as having “a private drive and limited road access” due to “the topographic features of the land. The parcel itself does drop away from the road rather dramatically”, even though the parcel has approximately 250 of road frontage. This was a misleading use of the term “limited road access”, when not explained further in the report.
6. Mr. Parmentier reported that Comparable Sale number 1 was sold on 2/21/05. The date on which the sale

was recorded was 2/21/05, but the date of sale was 4/17/04.

7. Mr. Parmentier described Comparable Sale number 2 as 2.05 acres that sold for \$32,000. The actual sale in March of 2005 included two parcels totaling 3.66 acres for \$64,000. Mr. Parmentier estimated a value of \$32,000 for one of the two parcels. This was misleading, when not explained further in the report.

8. When DOT takes property by eminent domain, section 32.09 of the Statutes requires DOT to pay the owner of property “the greater of either the fair market value of the property taken as of the date of evaluation or the sum determined by deducting from the fair market value of the property immediately before the date of evaluation, the fair market value of the remainder immediately after the date of evaluation”, and appraisal reports prepared for the purpose of determining Just Compensation must indicate both the fair market value of the property taken and a “before and after” valuation. Mr. Parmentier did not perform a before and after valuation.

### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in this matter pursuant to sec. 458.26, Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

2. Respondent Jules F. Parmentier is subject to discipline for the following violations:

a. Wis. Stats. sec. 32.09 (6) by not performing a before and after evaluation.

b. Wis. Stats. sec. 458.26 (3) (c) by evidencing a lack of knowledge or ability to apply professional principles and skill.

c. The USPAP Competency Rule by failing to take all steps necessary to complete the assignment competently.

### ORDER

NOW, THEREFORE, IT IS ORDERED that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED that Jules F. Parmentier is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED that Jules F. Parmentier’s Certified General Appraiser license is hereby **LIMITED** as of the date of this Order, as follows:

Until further order of the Real Estate Appraisers Board, Jules F. Parmentier shall not perform appraisals for eminent domain proceedings.

IT IS FURTHER ORDERED that Jules F. Parmentier pay costs of this matter in the amount of **\$1,037.08** within 60 days of the date of this Order. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to the following address:

Department Monitor  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935

In the event Mr. Parmentier fails to pay the costs within the time and in the manner as set forth above, his license shall be suspended without further notice to the Respondent, without further hearing, and without further order of the Board, and said suspension shall continue until the full amount of said costs have been paid to the Department of Regulation and Licensing.

IT IS FURTHER ORDERED that the violation of any of the terms of this Order shall 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 discipline.

IT IS FURTHER ORDERED that file 05 APP 074 be closed.

Dated this 18<sup>th</sup> day of October, 2006.

**WISCONSIN REAL ESTATE APPRAISERS BOARD**

By: Mark P. Kowbel  
A member of the Board