

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## **Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
ROXANE M. WAPPLER, :  
RESPONDENT. : LS07022813APP

Division of Enforcement Case No. 06 APP 018

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

Roxane M. Wappler  
320 4<sup>th</sup> Street South  
Wisconsin Rapids, WI 54494

Wisconsin Real Estate Appraisers Board  
P.O. Box 8935  
Madison, WI 53708

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 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 and Conclusions of Law and Order:

FINDINGS OF FACT

1. **Roxane M. Wappler** (D.O.B. 02/04/65) holds a certificate of licensure as a licensed appraiser in the state of Wisconsin (# 4-1225), which was first granted on 07/23/99.
2. Ms. Wappler’s most recent address on file with the Wisconsin Department of Regulation and Licensing is 320 4<sup>th</sup> Street South, Wisconsin Rapids, WI 54494.
3. On or about December 2, 2005, Ms. Wappler completed an appraisal on behalf of mortgage lender ABN AMRO Mortgage Group, Inc. for property located at 1000 Wildwood, Wisconsin Rapids, WI 54494, for a value of \$108,000.
4. Ms. Wappler originally completed the appraisal on the Uniform Residential Appraisal Report. On or about December 16, 2005, the lender asked Ms. Wappler to rewrite the report using the Individual Condominium Unit Appraisal Report because the original appraisal indicated that the lender’s request.
5. Pursuant to the 2005 Uniform Standards of Professional Appraisal Practice (USPAP), Standards Rule 1-1(a, b, c) requires an appraiser to:
  - (a) be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal;
  - (b) not commit a substantial error of omission or commission that significantly affects an appraisal; and
  - (c) not render appraisal services in a careless or negligent manner.
6. Pursuant to 2005 USPAP Standards Rule 1-2(e), in developing a real property appraisal an appraiser must “identify the characteristics of the property that are relevant to the type and definition of value and intended use of the appraisal.”
7. Pursuant to 2005 USPAP Standards Rule 1-2(f), in developing a real property appraisal an appraiser must “identify the scope of work necessary to complete the assignment.”
8. The documents provided from Ms. Wappler’s files clearly indicated that the property was purchased as a condominium (note the use of the WB-14 Residential Condominium Offer to Purchase). It is the appraiser’s duty to select the report format that will lead to credible results in commission to complete, or the appropriate approaches to value. If the client requests an appraisal be completed that the appraiser finds to be in error, it is the appraiser’s duty to clarify the scope of work with the client. By failing to complete the appraisal on the proper form initially, Ms. Wappler created a misleading appraisal, and Standards Rule 1-2(e, f).
9. In the second report prepared by Ms. Wappler on the condominium form, Ms. Wappler committed a series of errors that when considered together create a misleading and potentially fraudulent report. Specifically, the errors committed by Ms. Wappler include the following:
  - a. Of the three sales used, only one sale is also a condominium ownership. However, it is new construction located in a 55+ facility with planned events at the Assisted Care Building. It is also ADA certified which means that the construction is handicap accessible. This sale is not comparable to the subject property.
  - b. The other two sales Ms. Wappler used are Single Family zero lot line ownership. This is a different form of ownership than condominium ownership and as a result, these sales are not comparable to the subject property.
10. By selecting non-comparable sales, Ms. Wappler has violated 2005 USPAP Standards Rule 1-4(a) and Standards Rule 2-2(b)(ix), and has created a misleading and potentially fraudulent report. Standards Rule 1-4(a) states that “[w]hen a sales comparison approach is applicable, an appraiser must select the most comparable sales to the subject property and, in the summary, summarize the information analyzed, the appraisal procedures followed, and the reasoning that supports the analyses, opinions and conclusions.”

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 458.26, and is authorized to enter in the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. The conduct described above in paragraphs 4-10 constitutes a violation of:
  - a. 2005 USPAP Ethics Rule (Conduct),
  - b. 2005 USPAP Standards Rule 1-1(a, b, c), produce a credible appraisal;
  - c. 2005 USPAP Standards Rule 1-2(e)
  - d. 2005 USPAP Standards Rule 1-2(f)
  - e. 2005 USPAP Standards Rule 1-4(a), analyze comparable sales data; and
  - f. 2005 USPAP Standards Rule 2-2(b)(ix), summarize information analyzed, procedures followed, and reasoning.
3. As a result of the above USPAP violations, Ms. Wappler is deemed to have also violated Wis. Admin. Code § 86.01(2), thereby subjecting herself to discipline pursuant to Wis. Admin. Code § 86.01(1) and Wis. Stat. § 458.26(3)(b) and (c).

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The certificate of licensure of Respondent **Roxane M. Wappler**, license # 4-1225, is hereby **REPRIMANDED**.
2. Respondent **Roxane M. Wappler** shall, within one year of the date of this Order, successfully complete the following education offered by the Appraisal Institute, at her own expense:
  - (a) seminar on "Condominiums, Co-ops, and PUDs;" and
  - (b) course on "Residential Sales Comparison and Income Approaches," including taking and passing the exam offered for the course.
3. Ms. Wappler shall submit proof of the same in the form of verification from the institution providing the education to the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that are or may be
4. The certificate of licensure **Roxane M. Wappler**, license # 4-1225, shall be **LIMITED** as follows:
  - a. Ms. Wappler shall not perform any condominium appraisals until she has completed the Appraisal Institute seminar identified above in para. 2 (a). and submitted proof of completion of said seminar to the Department Monitor.
  - b. This limitation shall be automatically lifted, without further action of the Board, upon the Department Monitor's receipt of Ms. Wappler's submission of proof of successful completion of the Appraisal Institute seminar identified in para. 2 (a).
5. Respondent **Roxane M. Wappler** shall, within 60 days of the date of this Order, pay **COSTS** of this matter in the amount of \$ 500.00.
6. Proof of successful seminar/course completion and payment of costs (made payable to the Wisconsin Department of Regulation and Licensing) shall be mailed, faxed or delivered to the Department Monitor at this address:

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

7. 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 c submit any payment of the costs as set forth above or fails to complete the education as ordered, or is otherwise in violation of this order, Ms. Wappler's license # 4-1225 SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:	Mark P. Kowbel	2/28/07
	A Member of the Board	Date
	Respondent	