

# 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
GARY H. MERCER,	:	
RESPONDENT.	:	LS0702287APP

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Division of Enforcement Case Nos. 06 APP 079

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

Gary H. Mercer  
226 La Casa  
Lake Wales, FL 33898-7491

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

PROCEDURAL HISTORY

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

1. **Gary H. Mercer**, (DOB 06/19/41), is a licensed as a Certified Residential Appraiser in the State of Wisconsin, license # 9-142, which was first granted on 10/24/91. Mr. Mercer's most recent address on file with the Department of Regulation and Licensing is 139 River St., Portage, WI 53901. The Division of Enforcement received information that Mr. Mercer is currently in Florida and his address there is 226 La Casa, Lake Whales, FL 33898-7491.
2. On or about March 30, 2006, Mr. Mercer prepared a written appraisal report for property with the legal description of pt. S. 35 T. 14 N. R 8E & Pt. S. 2 T13N. R8E. Mr. Mercer’s report consisted of only one page and was forwarded to the Department by an unknown source.
3. Mr. Mercer’s report was reviewed by the Department and it was determined that the appraisal did not meet several Uniform Standards of Professional Appraisal Practice (USPAP) rules.
4. The Department contacted Mr. Mercer on numerous occasions and requested that he forward to the Department all relevant material pertaining to his appraisal of the pt. S. 35 T. 14 N. R 8E & Pt. S. 2 T13N. R8E.

property.

5. Mr. Mercer refused to cooperate with the Department and stated that he has a “problem with responding to an anonymous complaint”.

6. To date, the Department has not received any material from Mr. Mercer pertaining to his appraisal of the pt. S. 35 T. 14 N. R 8E & Pt. S. 2 T13N. R8E. property.

7. Mr. Mercer agrees to resolve this matter by surrendering his Certified Residential Appraiser license pursuant to the terms of this Final Decision and Order and the accompanying Stipulation.

8. Mr. Mercer has returned his Certified Residential Appraiser license to the Department of Regulation and Licensing.

### CONCLUSIONS OF LAW

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

2. Gary H. Mercer has violated:

a. Wis. Adm. Code §§ RL 86.01 (8), (10), and Wis. Stat. §§ 458.18(3), 458.26(3)(b), by failing to make records available to the Department:

b. Wis. Adm. Code § RL 86.01(1), (2), (5), and Wis. Stat. §§ 458.26(3)(b)(c), by failing to conform his appraisals to USPAP, and by engaging in conduct while practicing as an appraiser which evidences a lack of knowledge or ability to apply professional principals or skills.

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The **Voluntary Surrender** of the Certified Residential Appraiser license of Respondent **Gary H. Mercer**, license #9-142, is hereby accepted.

2. Respondent **Gary H. Mercer** shall, within 60 days of the date of this Order, pay **COSTS** of this proceeding in the amount of \$450.00.

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

3. If Gary H. Mercer applies for a license in the future, issuance of the license shall be at the Board’s discretion.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: Mark P. Kowbel  
A Member of the Board

2/28/07  
Date