

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
WILLIAM H. CULLINANE, : LS0908122APP
RESPONDENT. :

Division of Enforcement case file 08 APP 078

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

William H. Cullinane
S 64 W 25450 Meyers Drive
Waukesha, WI 53189

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

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 Wisconsin Real Estate Appraisers Board ("Board"). The Board has reviewed the Stipulation and considers it acceptable. Accordingly, the Board adopts the attached Stipulation in this matter and makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. William H. Cullinane is licensed in Wisconsin as a Real Estate Appraiser and certified as a Certified Residential Appraiser, with license number 9-790, first issued on December 28, 1993.
2. Mr. Cullinane's most recent address on file with the Department of Regulation and Licensing ("Department") is S 64 W 25450 Meyers Drive, Waukesha, WI 53189
3. On January 5, 2008, Mr. Cullinane performed an appraisal review of an appraisal report prepared by Patrick Fulton.
4. In his appraisal review, Mr. Cullinane mistakenly concluded that the original appraiser had included the lower level finish twice, once in the grid and once in the rooms below grade section. This mistake caused Mr. Cullinane to violate Standard 3 of the Uniform Standards of Professional Appraisal Practice (USPAP) by failing to develop and report a credible opinion as to the quality of another appraiser's work.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in this matter pursuant to section 458.26 (3) of the Wisconsin Statutes and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
2. By failing to comply with USPAP in the appraisal and the appraisal report for property at 8941 268th Avenue in Salem, Wisconsin, Respondent William H. Cullinane violated sections RL 86.01 (1) and (2) of the Wisconsin Administrative Code, and is subject to discipline under section 458.26 (3), Wis. Stats.

ORDER

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

IT IS FURTHER ORDERED that William H. Cullinane be hereby REPRIMANDED.

IT IS FURTHER ORDERED that Respondent William H. Cullinane pay the Department's costs of this matter in the amount of **\$482** 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 Department Monitor. In the event Mr. Cullinane fails to pay the costs within the time and in the manner as set forth above, his Real Estate Appraisers license shall be suspended without further notice, 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 file 08 APP 078 be closed.

Dated this 12th day of August, 2009.

WISCONSIN REAL ESTATE APPRAISERS BOARD

By: Marla Britton, Board Chair, or another member of the Board