WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE DISCIPLINARY	: :	
PROCEEDINGS AGAINST		
		FINAL DECISION AND ORDER
BETH A. ROBERTS,		
RESPONDENT.		LS0908127APP
The parties to this action for the purp	pose of Wi	s. Stat. § 227.53 are:
The parties to this action for the purp Beth A. Roberts 627 4th Avenue South	pose of Wi	s. Stat. § 227.53 are:
Beth A. Roberts	oose of Wi	s. Stat. § 227.53 are:
Beth A. Roberts 627 4th Avenue South Park Falls, WI 54552 Wisconsin Real Estate Appraisers E		s. Stat. § 227.53 are:
Beth A. Roberts 627 4th Avenue South Park Falls, WI 54552		s. Stat. § 227.53 are:

Division of Enforcement Case No. 07 APP 028

Division of Enforcement P.O. Box 8935 Madison, WI 53708-8935

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact and Conclusions of Law and Order:

- 1. Beth A. Roberts (D.O.B. 09/20/58) holds Wisconsin appraiser license # 4-1300, which was first granted on 04/12/00 and is current through 12/14/09.
- Ms. Roberts' most recent address on file with the Wisconsin Department of Regulation and Licensing is 627.4th Avenue South. Park Falls. WI 54552.
- In 2006, Ms. Roberts submitted a request to the Department for review of her appraisal experience for AQB compliance. As part of that process, Ms. Roberts wa ment denied Ms. Roberts' request for AQB compliance.
- 4. The matter was referred to the Division of Enforcement for disciplinary action against her appraiser license in light of Ms. Roberts' appraisals failing to comply with USPAP.
- 5. Ms. Roberts' appraisals were reviewed by the Department and a Real Estate Appraiser Board Member acting as a case advisor, and were found to be in violation of USPAP as detailed below.

On or about May 26, 2005, Ms. Roberts completed an appraisal for property located at N9098 S. Soo Lake Rd, Phillips, WI 54555. The appraisal showed a market value \$ 365,000.

7. This appraisal was reviewed by the Department and a member of the Real Estate Appraisers Board acting as a case advisor, and it was determined that the appraisal violated the 2005 Uniform Standards of Professional Appraisal Practice (USPAP) in the following respects

a. Sandaris Rule 1. Sandaris Rule 2. and the Ethics 1. Sandaris Rule 2. and the Ethics Rule by completing an appraisal that Ms. Roberts was not competed the to its complexity and Ms. Roberts states that the cabin values were deed to the tere is no market data in the work file to support this claim. Adjustments for land and cabins seems to have been randomly selected. The report was completed on a residential form report, but there is no market data in the work file to support this claim. Adjustments for land and cabins seems to have been randomly selected. The report was completed on a residential form report, but the report is not an acceptable document for the complexity of the subject property. All of these problems result in a misleading report.

COUNT II-Appraisal of Property at W8640 Crane Chase Rd., Phillips, WI

On or about April 29, 2005, Ms. Roberts completed an appraisal for property located at W8640 Crane Chase Road, Phillips, WI 54555. The appraisal showed a market value of \$170,000.

Sandards Rate | 1/st |

COUNT III—Appraisal of Property at N13110 Hicks Landing Rd., Fifield, WI

On or about November 7, 2005, Ms. Roberts completed an appraisal for property located at N13110 Hicks Landing Road, Fifield, WI 54524. The appraisal showed a market value of \$383,000.

- isal was reviewed by the Department and a member of the Real Estate Appraisers Board acting as a case advisor, and it was determined that the appraisal violated the 2005 Uniform Standards of Professional Appraisal Practice (USPAP) in the following res

- Sancharis Rule 2-20/h/vii by failing to adequately aurmanize the scope of work to disclose the level of work used to develop the appraisal.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to include the Cost Approach and the factors Approach in the report, and by failing to explain why "Departure" has occurred.

 Sancharis Rule 2-20 by failing to include the Cost Approach and the factors are approached to the control of the report and by failing to explain why "Departure" has occurred.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to identify the report type.

 Sancharis Rule 2-20 by failing to identify the report type.

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).
- The conduct described above in paragraphs 6-11 constitutes a violation of:

 - a. 2005 USPAP Standards Rule 1-1(a,b,c), developing an appraisal;
 b. 2005 USPAP Standards Rule 1-2(e), identify the relevant property cha
 - c. 2005 USPAP Standards Rule 1-3 (a), identify and analyze effect of existing land use regulati
 - d. 2005 USPAP Standards Rule 1-3(b), highest and best use;
 - e. 2005 USPAP Standards Rule 1-4, collect verify, and analyze all applicable information;
 - f. 2005 USPAP Standards Rule 1-6. reconciliation:
 - 2.005 USPAP Standards Rule 2-1, state which reporting option is used;
- i. 2005 USPAP Standards Rule 2-2(b)(iii); describe the property; i. 2005 USPAP Standards Rule 2-2(b)(vii): score of work
- J. 2005 USPAP Standards Rule 2-20(NII), scope or work: k. 2005 USPAP Standards Rule 2-2(b)(xi), rusoning that supports analyses, opinions and conclusi 1. 2005 USPAP Standards Rule 2-2(b)(xi); state and explain permitted departures; and m. 2005 USPAP Standards Rule Ethics, Competency.

- 3. As a result of the above USPAP violations, Ms. Roberts 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).

- The certificate of licensure of Respondent Beth A. Roberts, license #4-1300, is hereby REPRIMANDED.
- The certificate of licensure of Respondent Beth A. Roberts. license #4-1300. is hereby LIMITED as follows:
 - a. Respondent Beth A. Roberts shall, within one year of the date of this Order, successfully complete a 15-bour USPAP course offered by a provider approved by the Department, in a classroom setting and at her own expense, including taking and passing the exam offered for the co
- b. Ms, Roberts 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 instituted by the Board or the Department of Regulation and Licensing, or for continuing absorber to used in finure attempts to upgrade his credential in Wisconsin.
 - Ms. Roberts shall complete no more than five (5) appraisals per week.
- e. These limitations shall remain in place for a minimum of one (1) year from the date of this Order. These limitations shall only be lifted upon a su earliest any such petition may be filed with the Board is one (1) year from the date of this Order.
 - 3. Beth A. Roberts shall, within 120 days of the date of this Order, pay COSTS of this matter in the amount of SEVEN HUNDRED FIFTY DOLLARS (\$750.00).
 - 4. Proof of successful course completion, payment of costs (made payable to the Wisconsin Department of Regulation and Licensing), and any petition for the Proof of successful course completion, payment of costs (made payable to the Wisconsin Department of Regulation and Licensing).

Department Monitor Division of Enforcement Department of Regulation and Licensing P.O. Box 8935, Madison, WI 53708-8935 Felephone (608) 267-3817, Fax (608) 266-2264

- 5. 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 discretic education as ordered, or is otherwise in violation of this order, Ms. Roberts' license # 4-1300 SHALL BE SUSPENDED, without further notice or hearing, until Respondent has compiled with the terms of this Order. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: Marla K. Britton A Member of the Board

8/12/09 Date