

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



Before The
State Of Wisconsin
REAL ESTATE APPRAISERS BOARD

In the Matter of the Disciplinary Proceedings
Against Shawn R. Seewald, Respondent

FINAL DECISION AND ORDER

DHA Case No. DRL-09-0089

Division of Enforcement Case No. 08 APP 021

The State of Wisconsin, Real Estate Appraisers Board, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, make the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Real Estate Appraisers Board.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin on the 25 day of AUGUST, 2010.

A handwritten signature in black ink, appearing to be "Maggie", written over a horizontal line.

Member
Real Estate Appraisers Board



Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Disciplinary Proceedings
Against Shawn R. Seewald, Respondent

PROPOSED DECISION AND ORDER

DHA Case No. DRL-09-0089

Division of Enforcement Case No. 08 APP 021

The parties to this proceeding for purposes of Wis. Stat § 227.53 are:

Shawn R. Seewald
3413 328th Street
Burlington, WI 53105

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

Real Estate Appraisers Board
PO Box 8935
Madison, WI 53708-8935

Procedural History

The *Complaint* in this matter was filed on August 20, 2009. On August 21, 2009, the *Complaint* and *Notice of Hearing* were sent to the respondent at his address of record with the Wisconsin Department of Regulation and Licensing (DRL). The Notice of Hearing stated that Respondent was required to file an Answer to the Complaint within 20 days, failing which "you will be found to be in default and a default judgment may be entered against you on the basis of the Complaint and other evidence of record. In the event of your default, the Department of Regulation and Licensing may take disciplinary action against you and impose the costs of the investigation, prosecution and decision of this matter upon you without further notice or hearing."

DRL served the Respondent with the *Complaint* and *Notice of Hearing* by both certified U.S. Mail and regular first class U.S. Mail using Respondent's address of record with DRL.

DRL was notified that the copy that had been mailed by Certified Mail, Return Receipt Requested had been delivered to and signed for by the Respondent.

Respondent never filed an Answer or otherwise responded to DRL's *Complaint* and *Notice of Hearing*. This matter was noticed for prehearing conference by this Division on October 5, 2009, and again on November 10, 2009. The Respondent did not respond to the notices and did not make himself available for the prehearing conferences.

On January 4, 2010, DRL mailed to Respondent by regular U.S. Mail at his DRL addresses of record a *Motion for Default*. Respondent has not responded to the motion.

Findings of Fact

1. Shawn R. Seewald, Respondent, date of birth April 29, 1975, is a Licensed Appraiser in the State of Wisconsin, having license #4-1749, which was first granted on 03/04/04.

2. Respondent's last address reported to the Department of Regulation and Licensing is 3413 328th Street, Burlington, Wisconsin, 53105.

3. On September 12, 2007, the Real Estate Appraisers Board issued a Final Decision and Order in a disciplinary proceeding against Respondent. The Final Decision and Order was based upon a Stipulation to which Respondent agreed. The Final Decision and Order imposed limitations and payment of costs on Respondent's license. A copy of the Final Decision and Order is attached as Exhibit A.

4. The Order, at page 5, provided authority to the Board to summarily suspend Respondent's license if Respondent violated the Final Decision and Order. It states:

Violation of any term or condition of this Order may constitute grounds for suspension or revocation of Respondent's real estate appraiser's license in Wisconsin. Should the Board determine that there is probable cause to believe that Respondent has violated the terms of this Order, the Board may order that Respondent's license be summarily suspended pending investigation of and hearing on the alleged violation.

5. The Order, at page 4, required Respondent to complete six educational courses within one year from the date of the Order. The Order is dated September 12, 2007, making the due date for completion of all of the education September 12, 2008. It states in relevant part:

1. The license as a Real Estate Appraiser issued to Shawn R. Seewald is limited as follows: . . . (b) Mr. Seewald shall successfully complete, within one year from the date of this Order, the following education, all of which is offered by the Appraisal Institute:

-USPAP 15-hour course (15 hours)

-Residential Sales Comparison and Income Approaches (30 hours)

- Advanced Sales Comparison and Cost Approaches (40 hours)
- Quality Assurance in Residential Appraisals: Risky Appraisals = Risky Loans (7 hours)
- Condominiums, Co-ops and PUDs (7 hours)
- Advanced Residential Applications and Case Studies, Part 1 (15 hours), none of which shall count or be credited toward his required continuing education. Verification of the ordered education shall be mailed to the Wisconsin Department of Regulation and Licensing 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

6. An Education Transcript for Respondent, printed from the Appraisal Institute website on August 12, 2009, shows that Respondent successfully completed the following two required educational courses: (1) Condominiums, Co-ops and PUDs (7.0 hours), completed on August 26, 2008 on-line; and (2) Quality Assurance in Residential Appraisals (7.0 hours), completed on March 28, 2008 in Milwaukee, WI.

7. The Appraisal Institute has no record of Respondent ever taking the other four educational courses required by the Board's September 12, 2007 Order.

8. The Department Monitor has never received any proof of Respondent successfully completing the other four educational courses required by the Board's September 12, 2007 Order.

9. The Department Monitor received no direct communication from Respondent about his Board-ordered education at any point in time.

10. On August 12, 2009, the Board summarily suspended Respondent's real estate appraiser's license (#4-1749), for his failure to complete four of the six Board-ordered educational courses by September 12, 2008, which was a violation of the Board's September 12, 2007 Final Decision and Order. A copy of the Board's Order of Summary Suspension is attached as Exhibit B.

11. Between the Board's September 12, 2007 Final Decision and Order and August 12, 2009, Respondent was actively engaged in the practice of real estate appraisal in Wisconsin.

Conclusions of Law

1. By failing to take and successfully complete four of the six Board-ordered educational courses, Respondent violated the September 12, 2007, Final Decision and Order of the Real Estate Appraisers Board.

2. The Board's September 12, 2007, Final Decision and Order provides that the failure to comply with the terms of the Order may constitute grounds for disciplinary action against Respondent's license.

3. Respondent's failure to complete the education required by the Board's September 12, 2007, disciplinary Order, demonstrates that he has engaged in conduct while practicing as an appraiser which evidences a lack of knowledge or ability to apply professional principles or skills, thereby subjecting him to discipline pursuant to Wis. Stat. § 458.26(3)(c).

4. Respondent Shawn R. Seewald is in Default with regard to this matter and an Order may be entered without further hearing or proceeding.

Order

For the reasons set forth above, IT IS ORDERED that the Respondent Shawn R. Seewald's real estate appraiser license be revoked.

IT IS FURTHER ORDERED that Respondent shall pay all recoverable costs in this matter, in an amount to be established pursuant to law. After the amount is established payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing ["DRL"] and sent to:

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

IT IS FURTHER ORDERED that this file be and hereby is closed as to Respondent.

Dated at Madison, Wisconsin on February 16, 2010.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
5005 University Avenue, Suite 201
Madison, Wisconsin 53705
Telephone: (608) 266-7709
FAX: (608) 264-9885
BY: _____

Patrick T. Currie
Administrative Law Judge

**STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD**

**IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST
SHAWN R. SEEWALD,
RESPONDENT.**

FINAL DECISION AND ORDER

LS 07091215 APP

Division of Enforcement Case File # 06 APP 089

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

Shawn R. Seewald
3413 328th Ave.
Burlington, WI 53105

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 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. Shawn R. Seewald is a Licensed Appraiser in the State of Wisconsin, license # 4-1749, which was first granted on 03/04/04. Mr. Seewald's most recent address on file with the Department of Regulation and Licensing is 3413 328th Ave., Burlington, WI 53105.
2. In November, 2005, Brenda Hannula submitted to the Department of Regulation and Licensing an application for an Appraiser license.

EXHIBIT A

3. As part of the process to obtain an Appraiser license the Department requires the applicant to submit copies of three sample appraisal reports that they have completed. Ms. Hannula submitted three reports which were reviewed by the Department, and it was determined that the appraisal reports did not meet the Uniform Standards of Professional Appraisal Practice (USPAP).

4. The reports that Ms. Hannula forwarded to the Department were completed under the supervision of Mr. Seewald. The three appraisals are: 100 Wisconsin Ave., # 701, Madison, WI; 3524 E. Thomas St., Madison WI; and 3102 Portage Rd., Madison, WI. As the Supervising Appraiser, Mr. Seewald was responsible for their content, as explained in the Comment to Standards Rule 2-3.

5. With regard to the appraisal of property at 100 Wisconsin Ave., Ms. Hannula failed to satisfy:

Standards Rule 1-1 Developing an Appraisal

The combination of the concerns referenced below leads to the conclusion that this standards rule has been violated.

Standards Rule 1-2f Scope of Work

Scope of work statement is inadequate. Refer to the definition of "scope" in USPAP for the required elements to be included in a scope of work statement.

Standards Rule 1-4a Sales Comparison Approach

The appraisers state that view is "more important" than GLA (Gross Living Adjustments), without providing any empirical support for this statement. The sales selected are 221%, 556%, 317%, 283%, 226% and 344% the size of the subject with adjustments made at only \$30 per square foot. The units sold for \$262-\$377 per sq. ft. By making adjustments at only ~10% of the average sales price per square foot of the units and by not providing a smaller size bracket (or even a single sale which is less than double the subject's size), the value opinion is significantly overstated. Sale 2 sold for \$1,013,400 more than the price for the subject's last sale, and Sale 6 sold for \$643,417 more than the subject's last sale. These sales do not meet the principle of substitution. The following information is misstated regarding the individual sales.

Sale 1- The MLS shows it to be on the 9th floor, not the first floor (city assessment records confirm that this unit is on the 9th floor).

Sale 4- The MLS shows it to be a penthouse on the 14th floor, not the 2nd Floor. This sale also has Cherry floors and trim and home theater with plasma TV; both are value adding features, not referenced in the report. This unit had never been lived in; effective age was new.

Sale 5- The MLS shows this to be a townhouse unit on Lake Monona: it is not on floor 2. The adjustment for boat slip is made +\$25,000 which means the appraisers are stating the

having a boat slip is \$25,000 inferior to not having a boat slip. This adjustment is made in the wrong direction.

Sale 6- The MLS shows this to be on the 10th floor, not the 2nd floor. This sale also appears to have a custom kitchen, something not referenced for the subject.

These mis-statements of fact, combined with adjustments in the wrong direction, and exceedingly low square footage adjustments, lead to a substantial over-statement of value.

Standards Rule 1-5 Subject Listing and Sale Information

Provide no analysis. There is no discussion or analysis provided to indicate why the unit is now allegedly worth 22 % more than its relatively recent sale.

6. With regard to the appraisal of property at 3524 E. Thomas St., Ms. Hannula failed to satisfy:

Standards Rule 1-4a Sales Comparison Approach

Omits the following value adding features which the sales possess (per MLS):

Sale 1- Says the property is in "average" condition; MLS says "remodeled 2 bdrm home." The house has a cathedral/vaulted ceiling with skylight (s) and lake access rights, per MLS: no mention of this in the report.

Sale 2- this house also has lake access. Per the MLS, it is across the street from the lake with "waterfront pier with bench included." No mention of this in the report.

Sale 3- this house also has lake access, a new roof, new siding, and heated porch, per MLS. The heated porch may be included in the square footage, but this should have been addressed in some form.

The adjustments for gross living area and garage stalls are far too low.

The combination of omitting value adding features and making adjustments far below what is supported by the market, lead to an over-statement of value for the subject property.

7. With regard to the appraisal of property at 3102 Portage Rd. Ms. Hannula failed to satisfy:

Standards Rule 1-4a Sales Comparison Approach

Omits the following value adding features which the sales possess (per MLS):

Sale 1- Exposed, walk-out basement, jetted bathtub, storage building, and wet bar;

Sale 2- Exposed, walk-out basement, upgraded hickory kitchen cabinets and new roof;

Sale 3- Updated kitchen with new countertops.

The adjustments for baths, gross lining area, and fireplace are also far too low.

The combination of omitting value, adding features, and making adjustments far below what is supported by the market, lead to an over-statement of value for the subject property.

8. Because the appraisals provided by Ms. Hannula failed to meet USPAP, the Department of Regulation and Licensing denied her application for an Appraiser license.

9. Ms. Hannula was eventually granted an appraiser license on January 20, 2006.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraiser's 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. Mr. Seewald's inadequate supervision of Ms. Hanula's appraisals constitutes a violation of Wis. Admin. Code § RL 86.01 (1) and Wis. Stat. § 458.26 (3)(b).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license as a Real Estate Appraiser issued to Shawn R. Seewald is limited as follows:
 - a. Commencing 5 business days after the date on which this order is signed, Mr. Seewald shall not supervise any appraisal activities until he has completed all of the following education.
 - b. Mr. Seewald shall successfully complete, within one year from the date of this Order, the following education, all of which is offered by the Appraisal Institute:
 - USPAP 15-hour course (15 hours)
 - Residential Sales Comparison and Income Approaches (30 hours)
 - Advanced Sales Comparison and Cost Approaches (40 hours)
 - Quality Assurance in Residential Appraisals: Risky Appraisals = Risky Loans (7 hours)
 - Condominiums, Co-ops, and PUDs (7 hours)
 - Advanced Residential Applications and Case Studies, Part 1 (15 hours),none of which shall count or be credited toward his required continuing education. Verification of the ordered education shall be mailed to the Wisconsin Department of Regulation and Licensing, 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

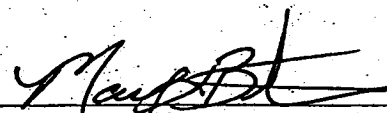
c. Following successful completion of the Board ordered education, the limitation regarding supervision shall be lifted, Mr. Seewald's license shall be restored to unlimited status, and Mr. Seewald may supervise appraisal activities without further order of the Board.

2. Within 60 days of the date of this order, Mr. Seewald shall pay costs in this matter in the amount of \$900.33. Payment shall be made to the Department of Regulation and Licensing and sent to the Department Monitor.

3. Violation of any term or condition of this Order may constitute grounds for suspension or revocation of Respondent's real estate appraiser's license in Wisconsin. Should the Board determine that there is probable cause to believe that Respondent has violated the terms of this Order; the Board may order that Respondent's license be summarily suspended pending investigation of and hearing on the alleged violation.

WISCONSIN REAL ESTATE APPRAISERS BOARD

By:


A Member of the Board

9/12/2007
Date

**STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD**

**IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST
SHAWN R. SEEWALD,
RESPONDENT.**

STIPULATION

LS 07091215 APP

Division of Enforcement Case File # 06 APP 089


It is hereby stipulated between Shawn R. Seewald, respondent, and John Nicholas Schweitzer, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (06 APP 089). Respondent consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Respondent has been provided the opportunity to obtain legal counsel prior to signing this Stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Real Estate Appraisers Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

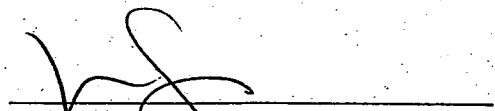
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Shawn R. Seewald, Respondent
3413 328th Ave.
Burlington, WI 53105

8/1/2007
Date


John Nicholas Schweitzer, Attorney
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

July 3, 2007
Date

[CASE # 06APP089 COSTS \$900.33].

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	ORDER OF
	:	SUMMARY SUSPENSION
SHAWN R. SEEWALD,	:	
RESPONDENT.	:	LS <u>0908128</u> APP

Division of Enforcement Case No. 08 APP 021

The Petition for Summary Suspension dated August 7, 2009 was noticed to be presented at 9:15 a.m. on August 12, 2009, or as soon thereafter as it could be heard. At that time, attorney Lara M. Herman appeared for the Petitioner, Department of Regulation and Licensing, Division of Enforcement. Respondent appeared in person, unrepresented.

The Wisconsin Real Estate Appraisers Board, having considered the sworn August 7, 2009 Petition for Summary Suspension by Petitioner, the August 10, 2009 Affidavit of Mailing of the Notice of Petition for Summary Suspension and Petition for Summary Suspension of Lara M. Herman, the August 11, 2009 Affidavit of Douglas A. Austin, the August 11, 2009 Affidavit of Sharon Henes, the statements of Sharon Henes, the statements of Respondent Shawn R. Seewald, the August 12, 2009 Education Transcript from the Appraisal Institute, and having heard the arguments of attorney Lara M. Herman and Respondent, hereby makes the following:

FINDINGS OF FACT

1. Shawn R. Seewald, Respondent, date of birth April 29, 1975, is a Licensed Appraiser in the State of Wisconsin, having license #4-1749, which was first granted on 03/04/04 and is current through 12/14/2009.
2. Respondent's last address reported to the Department of Regulation and Licensing is 3413 328th Street, Burlington, WI 53105.
3. Respondent was given proper notice of the Petition for Summary Suspension pursuant to Wis. Admin. Code § RL 6.05 by Petitioner mailing copies of the Notice of Petition for Summary Suspension and the Petition for Summary Suspension to the Respondent's last known address of record with the Department of Regulation and Licensing. Notice is complete upon mailing.
4. The Board issued a Final Decision and Order on September 12, 2007, in a disciplinary proceeding against Respondent that required Respondent to complete the following six educational courses by September 12, 2008:

EXHIBIT B

- USPAP 15-hour course (15 hours)
- Residential Sales Comparison and Income Approaches (30 hours)
- Advanced Sales Comparison and Cost Approaches (40 hours)
- Advanced Residential Applications and Case Studies, Part 1 (15 hours)
- Quality Assurance in Residential Appraisals: Risky Appraisals = Risky Loans (7 hours)
- Condominiums, Co-ops and PUDs (7 hours)

5. An Education Transcript for Respondent, printed from the Appraisal Institute website on the day the Petition was presented to the Board, shows that Respondent successfully completed the following two required educational courses: (1) Condominiums, Co-ops and PUDs (7.0 hours), completed on August 26, 2008 on-line; and (2) Quality Assurance in Residential Appraisals (7.0 hours), completed on March 28, 2008 in Milwaukee, WI.

6. The Appraisal Institute has no record of Respondent ever taking the other four educational courses required by the Board's September 12, 2007 Order.

7. The Department Monitor received no direct communication from Respondent about his Board-ordered education at any point in time.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction over this matter pursuant to Wis. Stat. § 458.26 and has authority to summarily suspend Respondent's real estate appraiser license pursuant to Wis. Stat. § 227.51(3) and Wis. Admin. Code § RL 6.

2. There is probable cause to believe that Respondent violated the September 12, 2007 Final Decision and Order of the Board by failing to successfully complete four educational courses required to be completed by September 12, 2008.

3. The Board's Final Decision and Order of September 12, 2007 provides that the Board can summarily suspend Respondent's license for violating that Final Decision and Order.

4. By Respondent's failure to complete four of the six Board-ordered educational courses that were due to be completed by September 12, 2008, there is probable cause to believe that Respondent has engaged in or is likely to engage in conduct such that the public health, safety or welfare imperatively requires emergency suspension of Respondent's license.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that the real estate appraiser license of Shawn R. Seewald, #4-1749, be and is summarily suspended.

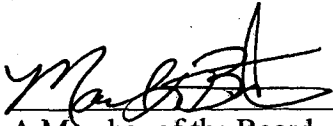
IT IS FURTHER ORDERED that the suspension order is in effect and continues until the effective date of a final decision and order in the disciplinary proceeding against Respondent.

IT IS FURTHER ORDERED that Respondent is hereby notified of his right, pursuant to Wis. Admin. Code § RL 6.09, to request a hearing to show cause why this summary suspension order should not be continued and is further notified that any request for a hearing to show cause should be filed with the Wisconsin Real Estate Appraisers Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

IT IS FURTHER ORDERED that Respondent is hereby notified that in the event he requests a hearing to show cause why the summary suspension should not be continued, that hearing shall be scheduled to be heard on a date within 20 days of receipt by the Board of Respondent's request for hearing, unless Respondent requests or agrees to a later time for the hearing.

Wisconsin Real Estate Appraisers Board

By:


A Member of the Board

8/12/2009
Date

To: Shawn R. Seewald
3413 328th Street
Burlington, WI 53105

NOTICE OF RIGHT TO SHOW CAUSE

PLEASE TAKE NOTICE that you have the right to request a hearing following the issuance of this order to show cause why the order should not be continued until the effective date of a final decision and order. A request to show cause must be filed with the Wisconsin Real Estate Appraisers Board, P.O. Box 8935, Madison, WI 53708. If a hearing to show cause is requested, the hearing shall be scheduled before an Administrative Law Judge on a date within twenty (20) days of the date of receipt by the Department of the request for hearing, unless you request or agree to a later time.

If a hearing to show cause is held, you may testify as well as the petitioner. You and the petitioner may call witnesses and examine and cross-examine them. The petitioner will have the burden to show why the order should be continued. At the conclusion of the hearing, the Administrative Law Judge will make findings of fact and conclusions of law and recommend a final decision and order to the Real Estate Appraiser Board. If it is determined that the summary suspension should not be continued, your license will be restored to you.