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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
ROBERT C. EPPLE,	:	<i>ORDER 0000358</i>
RESPONDENT.	:	

Division of Enforcement case file 08 APP 116

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

Robert C. Epple
849 Richmond Way
Nekoosa, Wisconsin 54457

Wisconsin Real Estate Appraisers Board
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 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 this 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. Robert C. Epple (Date of Birth: April 29, 1938) possesses a certificate of licensure and a certification to practice in the state of Wisconsin as a Licensed Appraiser and a Certified Residential Appraiser (certificate number 9-1230). The certificate was first granted on August 15, 2001, and is current until December 14, 2011.

2. Mr. Epple's most recent address on file with the Department of Regulation and Licensing ("Department") is 849 Richmond Way, Nekoosa, Wisconsin 54457.

3. Mr. Eppe prepared an appraisal report prepared for property located at N833 County Road F, Montello, Wisconsin 53949, on or about May 2, 2008.

4. In the appraisal and the report, Mr. Eppe violated the Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rules (S.R.) 2-2(b), along with the Ethics Rule, Conduct; Ethics Rule, Management; Ethics Rule, Confidentiality; Ethics Rule, Record Keeping; and Competency Rule by not having the knowledge and experience to complete the assignment competently and only having one comparable sale located on waterfront property.

5. In the appraisal and the report, Mr. Eppe violated USPAP S.R. 2-1(a)(b)(c), S.R. S.R. 2-2, the Scope of Work Rule and the Jurisdictional Exception Rule by not adequately identifying the borrower or current ownership; by not providing a correct legal description; by including additional obsolete parcel numbers; by including a separate additional property owned by the borrower; by incorrectly identifying the neighborhood (property is in Town of Buffalo not Montello); by not reporting a special assessment, by providing an inaccurate census tract; by reporting inaccurate zoning information, by reporting inaccurate FEMA flood data; and by reporting inaccurate sales history.

6. In the appraisal and the report, Mr. Eppe violated USPAP S.R. 1-2a, S.R. 1-2b, S.R. 1-2c, S.R. 1-2d, S.R. 1-2e, S.R. 2-2b(iii) by providing an inadequate description of subject characteristics; by not adequately identifying borrower or current ownership; by not providing a correct legal description; by including additional obsolete parcel numbers; by including separate additional property owned by the borrower; by incorrectly identifying the neighborhood (property is in Town of Buffalo not Montello), by not reporting a special assessment; by providing an inaccurate census tract; by reporting inaccurate zoning information, by not including a recent certified survey map (CSM); and by reporting inaccurate FEMA flood data.

7. In the appraisal and the report, Mr. Eppe violated USPAP S.R. 1-2F, S.R. 1-2g, S.R. 1-2h, S.R. 1-3a, S.R. 1-3b, S.R. 1-4a, S.R. 2-2b(vii), S.R. 2-2b(x), S.R. 2-2b(iii), S.R. 2-2b(ix) and S.R. 2-2b(viii) by not analyzing comparable sales data; providing an inadequate description of subject characteristics; by not adequately identifying borrower or current ownership; by not providing a correct legal description; by including additional obsolete parcel numbers; by including separate additional property owned by the borrower; by incorrectly identifying the neighborhood (property is in Town of Buffalo not Montello), by not reporting a special assessment; by providing an inaccurate census tract; by reporting inaccurate zoning information, by not including a recent certified survey map (CSM); and by reporting inaccurate FEMA flood data.

8. In the appraisal and the report, Mr. Eppe violated USPAP S.R. 1-4b, S.R. 1-4c, S.R. 1-4d, S.R. 1-4e, S.R. 1-4f, S.R. 1-4g, S.R. 1-4h, S.R. 1-5(a)(b), S.R. 2-2b(viii), S.R. 2-2b(iv), S.R. 2-2(iii), by failing to provide comments or analysis to explain prior listings, sales and transfers.

9. In violation of USPAP S.R. 1-6, S.R. 2-1, S.R. 2-2, S.R. 2-2b(xi), S.R. 2-2b(viii), S.R. 2-3 and S.R. 2-4, Mr. Eppe failed to reconcile the quality and quantity of data available and

analyzed within the approaches used and failed to reconcile the applicability and relevance of the approaches, methods, and techniques used to arrive at the value conclusion(s).

10. In resolution of this matter, Robert C. Epple consents to the entry of the following Conclusions of Law and Order.

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 N833 County Road F, Montello, Wisconsin 53949, as described in paragraphs 4-9 of the Findings of Fact, Robert C. Epple violated sections RL 86.01 (1) and (2) of the Wisconsin Administrative Code, and is subject to discipline under Wis. Stat. sec. 458.26(3).

ORDER

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

2. IT IS FURTHER ORDERED that the Wisconsin Real Estate Appraiser certificate of licensure and certification issued to Robert C. Epple is hereby LIMITED as follows:

a. Within one year of the date of this Order, the respondent, Robert C. Epple, must successfully complete one class in appraisal principles and one class in appraisal procedure. The classes may be the following, from the Appraisal Institute:

- Basic Appraisal Principles
- Basic Appraisal Procedures

or equivalent coursework taken from any educational institution approved by the Department of Regulation and Licensing and approved in advance through the Department Monitor:

Department Monitor
Department of Regulation and Licensing,
PO Box 8935, Madison, Wisconsin 53708-8935.
Fax (608) 266-2264
Tel. (608) 267-3817

None of the education completed pursuant to this order 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.

Mr. Eppe shall submit proof of successful completion of the courses in the form of verification from the institution providing the education to the Department Monitor.

b. For a period of two (2) years from the effective date of this order, Mr. Eppe shall not supervise the appraisal work of others.

After two (2) years from the effective date of this Order, Mr. Eppe may petition the Wisconsin Real Estate Appraisers Board, in writing, for removal of the above limitation, if he has completed the education ordered above, has had no further complaints with the Department of Regulation and Licensing for one (1) year following the effective date of this Order, and has had three (3) appraisal reports (along with associated work files) reviewed for, and found to be in, compliance with USPAP. Mr. Eppe shall supply to the Department Monitor a roster of all appraisals completed within one (1) year after the successful completion of the above education. The appraisal reports shall be selected by random by the Department Monitor.

3. IT IS FURTHER ORDERED that Robert C. Eppe shall, within one (1) year from the effective date of this Order, pay the Department's costs in this matter in the amount of SIX HUNDRED FIFTY dollars (\$650.00) 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 at the address indicated above.

4. IT IS FURTHER ORDERED that 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 Robert C. Eppe's licensure and certification to practice in the state of Wisconsin as a Licensed Appraiser and a Certified Residential Appraiser (certificate number 9-1230). The Real Estate Appraisers Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Robert C. Eppe fails to comply with all of the terms and conditions of this Order, Robert C. Eppe's certificate of licensure and a certificate of certification to practice in the state of Wisconsin as a Certified Residential Appraiser and a Licensed Appraiser (certificate number 9-1230) may, in the discretion of the Wisconsin Real Estate Appraiser Board or its designee, be SUSPENDED, without further notice or hearing, until Robert C. Eppe has complied with all the terms and conditions of this Order.

5. IT IS FURTHER ORDERED that file 08 APP 116 is hereby closed.

This Order is effective on the date of its signing.

Dated this 25 day of AUGUST, 2010.

WISCONSIN REAL ESTATE APPRAISERS BOARD

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