

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
KENNETH D. HANSON,	:	
RESPONDENT.	:	ORDER 0000541

Division of Enforcement Case No. 09 APP 062

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

Kenneth D. Hanson
c/o Hanson Appraisal Services Inc.
P.O. Box 145
Pembine, WI 54156

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

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, Conclusions of Law and Order:

FINDINGS OF FACT

1. Kenneth D. Hanson is a licensed appraiser in Wisconsin (#4-1688). The license was first granted on 1/5/2004 and is current through 12/14/2011. Mr. Hanson's most recent address on file with the Wisconsin Department of Regulation and Licensing ("Department") is P.O. Box 145, Pembine, WI 54156.
2. On or about 8/28/2009, the Department received an anonymous complaint against Mr. Hanson. The complaint alleged various issues that called into question an appraisal of

property located at 3569 Pokegama Lake Trail, Lac Du Flambeau, WI 54538 ("Subject Property").

3. Mr. Hanson was hired by JP Morgan Chase Bank to perform an appraisal of the Subject Property on behalf of its clients Robert and Kathryn Chapman. On or about 6/5/09, Mr. Hanson performed an appraisal, submitting a report valuing the Subject Property at \$543,000.
4. The appraisal was reviewed by the Department and it was determined that the appraisal (and the accompanying reports) violated the Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rules (SR) 1-1(b),(c), and (e); SR 1-4 (a) and (g); SR 2-1 (a) and (b); and SR 2-2(b)(viii) as follows:
 - a. According to the data sheet, Sale 1 has 2.5 bathrooms on the main floor and 1 bathroom in the basement as well as a pier/dock. The Sale 2 data sheet states that the property is completely furnished and has a pier/dock. The Sale 3 data sheet indicates that the subject property has a bathroom in the basement, 2 fireplaces, a pier/dock, and furnishings. The grid does not reflect accurately the features, amenities, and additional items above nor does the Respondent provide any explanation within the report regarding these value added items.

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).
2. The conduct described above in paragraph 4 constitutes a violation of:
 - a. Standards Rules 1-1(b), (c), and (e);
 - b. Standards Rules 1-4 (a) and (g);
 - c. Standards Rules 2-1 (a) and (b); and
 - d. Standards Rules 2-2(b)(viii).
3. As a result of the above USPAP violations, Mr. Hanson is deemed to have also violated Wis. Admin. Code § RL 86.01(2), thereby subjecting himself to discipline pursuant to Wis. Admin. Code § RL 86.01(1) and Wis. Stat. § 458.26(3)(b) and (c).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license and certification of Respondent **Kenneth D. Hanson** (#4-1688) is hereby **LIMITED** as follows:
 - a. Kenneth D. Hanson shall, within one year of the date of this Order, successfully complete one of the following courses offered by the Appraisal Institute, or equivalent

courses by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses:

- i. Advanced Residential Application and Case Studies/Part 1 (15 hours)
 - ii. Residential Sales Comparison and Income Approaches (30 hours)
 - b. Mr. Hanson shall submit proof of completion 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, Wisconsin Department of Regulation and Licensing or similar authority in any state, and also may not be used in future attempts to upgrade his credential in any state.
 - c. Mr. Hanson shall not appraise more than 5 homes in a week, nor shall he supervise or train any non-credentialed or credentialed individuals. This limitation shall remain in place until the successful completion of the education ordered in paragraph 1a or one calendar year from the date of this order, whichever comes first. This limitation shall only be lifted upon a successful petition to the Board for removal of this limitation. Any such petition shall be accompanied by a work log of appraisals Mr. Hanson has completed from the date of the Order to the date of the petition, from which the Board may randomly select three appraisals to review for USPAP compliance and compliance with the limitations.
2. **Kenneth D. Hanson** shall, within 120 days of the date of this Order, pay **COSTS** of this matter in the amount of **ONE HUNDRED AND FORTY DOLLARS (\$140.00)**.
 3. Proof of successful course completion, payment of costs (**certified check or money order** made payable to the Wisconsin Department of Regulation and Licensing), and any petition for removal or modification of the limitations, shall be mailed, faxed or delivered by the Respondent to the Department Monitor at this address:

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

4. 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 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 Respondent fails to timely submit payment of the costs as ordered or fails to comply with the ordered continuing education as set forth above, the Respondent's license (#4-1688) may, in the discretion of the board or its designee, be **SUSPENDED**, without further notice or

hearing, until Respondent has complied with payment of the costs or completion of the continuing education.

5. This Order is effective on the date of its signing.
6. File 09 APP 062 is hereby closed.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:


A Member of the Board

11/10/2010
Date