

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
LAWRENCE G. TAPPA, :
RESPONDENT. : ORDER 0000 849

Division of Enforcement Case No. 09 APP 079

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

Lawrence G. Tappa
1337 Porlier Street
Green Bay, WI 54301

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. Respondent Lawrence G. Tappa (dob: 8/27/1948) is licensed in the State of Wisconsin as Licensed Appraiser, having license number 4-117, first issued on 6/9/1992 and current through 12/14/2011. Mr. Tappa's most recent address on file with the Wisconsin Department of Regulation and Licensing ("Department") is 1337 Porlier Street, Green Bay, WI 54301.

2. On or about 5/28/2008, Mr. Tappa prepared and executed an appraisal report concerning an appraisal of real property located at 2110 Kassner Drive, Green Bay, WI 54304-4420 (the "Kassner Property").

3. On or about 9/22/2009, the Department received a complaint regarding Mr. Tappa's appraisal of the Kassner Property, which alleged that the appraisal violated the Uniform Standards of Professional Appraisal Practice ("USPAP").

4. Mr. Tappa's appraisal of the Kassner Property was reviewed by the Department's Division of Enforcement, and it was determined that the appraisal and appraisal report violated USPAP Standards Rules (SR) as follows:

- a. Mr. Tappa failed to provide sufficient analysis of the comparable properties identified in the appraisal report. Insufficient information is provided explaining the substantial differences between the Kassner Property and the two comparables located within the Kassner Property's neighborhood. (SR 1-4(a); SR 2-2(a,b,c)(viii))
- b. Mr. Tappa failed to identify which of the comparable sales received the greatest amount of weight in his analysis, nor did he indicate or provide analysis of how he arrived at his ultimate valuation of the Kassner Property. (The value reported does not equal the mean of the adjusted comparable sale values, and does not correlate to the adjusted value of any of the comparables.) (SR 1-4(a); SR 2-2(a,b,c)(viii))
- c. Mr. Tappa failed to provide adequate analysis and reconciliation for the Sales Comparison Approach. (SR 1-6(a) and (b); SR 2-2(a,b,c)(viii))
- d. Mr. Tappa failed to include his title and license number in the Kassner Property appraisal report.

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 into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in Findings of Fact 4(a) and 4(b), Mr. Tappa violated USPAP SR 1-4(a) and 2-2(a,b,c)(viii) by failing to analyze such comparable sales data as are available to indicate a value conclusion, and by failing to describe in his appraisal report the reasoning that supports his analysis, opinions and conclusions.

3. By the conduct described in Findings of Fact 4(c), Mr. Tappa violated USPAP SR 1-6(a) and (b) by:

- a. failing to reconcile the quality and quantity of data available and analyzed within the approaches used; and
- b. failing to reconcile the applicability and relevance of the approaches, methods and techniques used to arrive at the value conclusion.

4. By the conduct described in Findings of Fact 4(c), Mr. Tappa violated USPAP SR 2-2(a,b,c)(viii) by failing to describe in his appraisal report the reasoning that supports his analysis, opinions and conclusions.

5. By the conduct described in Finding of Fact 5, Mr. Tappa violated Wis. Admin. Code § RL 86.03(1) by failing to include his title and license number in an appraisal report.

6. As a result of the above violations, Mr. Tappa has violated Wis. Admin. Code §§ RL 86.01(1) and (2) and 86.03(1), thereby subjecting himself to discipline pursuant to Wis. Stat. §§ 458.26(3)(b), (c) and (i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. The Certified Residential Appraiser and Licensed Appraiser license issued to LAWRENCE G. TAPPA (license number 4-117) is hereby LIMITED as follows:

- a. LAWRENCE G. TAPPA shall, within one year of the date of this Order, successfully complete the Residential Market Analysis and Highest & Best Use (15 hours) course offered by the Appraisal Institute, or equivalent course(s) by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the course(s).

- b. LAWRENCE G. TAPPA shall, within one year of the date of this Order, successfully complete ONE of the following two courses:

- (i) Quality Assurance: Avoiding Risky Appraisals (7 hours); OR
- (ii) Residential Challenges: Declining Markets and Sales Concessions (7 hours)

offered by the Appraisal Institute, or equivalent course(s) by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the course(s).

- c. LAWRENCE G. TAPPA shall submit proof of completion in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been 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.

d. The Limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license after satisfying the Board or its designee that he has successfully completed all of the ordered education.

3. LAWRENCE G. TAPPA shall, within one (1) year following the date of this Order, pay COSTS of this matter in the amount of One Thousand, Five Hundred dollars (\$1,500.00).

4. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Regulation and Licensing) shall be mailed, faxed or delivered by Respondent to the Department Monitor at the address below:

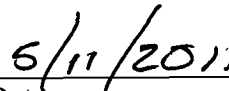
Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

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 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 costs as ordered or fails to comply with the ordered education as set forth above, Respondent's license (#4-117) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs and completion of the education.

6. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: 
A Member of the Board


Date