

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services 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 Safety and Professional Services 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 Safety and Professional Services 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 Safety and Professional Services, 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 Safety and Professional Services 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/wscga>

- 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 DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JACOB D. HOAGLUND,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER
ORDER 0002455

Division of Legal Services and Compliance¹ Case No. 12 APP 060

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

Jacob D. Hoaglund
5548 West Branch Trail
Racine, WI 53402

Wisconsin Real Estate Appraisers Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
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 Jacob D. Hoaglund (dob 07/21/1978) is licensed in the State of Wisconsin as a Certified Residential Appraiser and Licensed Appraiser, having license number 1565-9, first issued on June 22, 2007 and current through December 14, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5548 West Branch Trail, Racine, Wisconsin 53402.

2. Respondent has not been previously disciplined by the Board.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

3. In 2008, Respondent performed an appraisal field review and an appraisal field review report of an appraisal and appraisal report conducted by appraiser MS of property located at 2536 W Mitchell Street, Milwaukee, Wisconsin 53204. Respondent's appraisal field review report was dated February 25, 2008.

4. On or about October 28, 2011, the Department received a complaint alleging that appraiser MS had violated the Uniform Standards of Professional Appraisal Practice (USPAP). The complaint was primarily based on Respondent's appraisal field review and appraisal field review report of an appraisal and appraisal report conducted by MS. Division of Legal Services and Compliance Case Number 11 APP 051 was subsequently opened for investigation.

5. After further review, it was discovered that Respondent's appraisal field review and appraisal field review report violated USPAP. Division of Legal Services and Compliance Case Number 12 APP 060 was subsequently opened for investigation.

6. Respondent's appraisal field review and appraisal field review report was reviewed by the Division of Legal Services and Compliance and it was determined that the appraisal field review and appraisal field review report violated the USPAP Rules and/or Standards Rules (SR) as follows:

- a. failed to state the purpose of the assignment. (SR 3-2(a), Competency Rule.)
- b. failed to identify the effective date of the review. (SR 3-2(b), Competency Rule.)
- c. failed to explain his disagreement with the contents of the original appraisal report. (SR 3-2(d), Competency Rule, Scope of Work Rule.)
- d. failed to include all known pertinent information. (SR 3-2(e), Competency Rule, Scope of Work Rule.)
- e. included conflicting statements. (Competency Rule.)
- f. relied upon incorrect information to challenge data in the original appraisal report. (Competency Rule, Scope of Work Rule.)

7. In resolution of this matter, Respondent 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 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 the Findings of Fact, Respondent violated USPAP SR 3-2(a) by failing to state the purpose of assignment.

3. By the conduct described in the Findings of Fact, Respondent violated USPAP SR 3-2(b) by failing to state the information that must be identified in accordance with SR 3-1(b).
4. By the conduct described in the Findings of Fact, Respondent violated USPAP SR 3-2(d) by failing to state the opinions, reasons, and conclusions required in SR 3-1(d-g), given the reviewer's scope of work.
5. By the conduct described in the Findings of Fact, Respondent violated USPAP SR 3-2(e) by failing to include all known pertinent information.
6. By the conduct described in the Findings of Fact, Respondent violated the Competency Rule by failing to be competent to perform the assignment.
7. By the conduct described in the Findings of Fact, Respondent violated the Scope of Work Rule by failing to determine and perform the scope of work necessary to develop credible assignment results.
8. As a result of the above violations, Respondent Hoaglund has violated Wis. Admin. Code §§ RL (now SPS) 86.01(1) and (2), and is therefore subject to discipline pursuant to Wis. Stat. §§ 458.26(3)(b), (c) and (i).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Hoaglund is REPRIMANDED.
3. The Certified Residential Appraiser and Licensed Appraiser license issued to Respondent Hoaglund (license number 1565-9) is LIMITED as follows:
 - a. Within 60 days of the date of this Order, Respondent shall successfully complete 22 hours of education consisting of the following courses offered by the Appraisal Institute, or equivalent courses offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exams offered for the courses:
 - i. USPAP (15 hours); and
 - ii. Reviewing Residential Appraisal Reports (7 hours).
 - b. The courses listed above shall be taken in person in a classroom setting or online.
 - c. Respondent shall submit proof of successful completion of the education 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 or the Department.

d. This 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 Respondent has successfully completed all of the ordered education.

4. Within 90 days from the date of this Order, Respondent Hoaglund shall pay COSTS of this matter in the amount of \$613.00.

5. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. 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 education as set forth above, Respondent's license (no. 1565-9) 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 forfeiture and costs and completion of the education.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:


A Member of the Board

5/23/2013
Date