

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANNE E. M. THORSTENSON,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **0003523**

Division of Legal Services and Compliance Case No. 14 APP 032

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

Anne E. M. Thorstenson
2323 Anderson Rd.
Duluth, MN 55811

Wisconsin Real Estate Appraisers Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Anne E. M. Thorstenson (dob January 10, 1958) is certified in the State of Wisconsin as a Certified Residential Appraiser, having certificate of licensure and certification number 1202-9, first issued on October 18, 2000 and expired on December 14, 2011. Anne E. M. Thorstenson's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 2323 Anderson Rd., Duluth, MN 55811.

2. On or about September 27, 2013, the State of Minnesota Commissioner of Commerce revoked Respondent's Minnesota Real Property Appraiser license by consent order for violations of Minnesota law and the Uniform Standards of Professional Appraisal Practice.

3. On April 16, 2014, July 8, 2014 and July 15, 2014, the Department attempted to contact Respondent on behalf of the Board to request information pertaining to the investigation of the complaint underlying this matter.

4. Respondent did not respond to the Department's requests for information.

5. 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, Anne E. M. Thorstenson violated Wis. Admin. Code § SPS 86.01(12) by violating any law, the circumstances of which substantially relate to the practice of a real estate appraiser.

3. By the conduct described in the Findings of Fact, Anne E. M. Thorstenson violated Wis. Admin. Code § SPS 86.01(13) by engaging in conduct which reflects adversely on her fitness to practice as a real estate appraiser, including engaging in any unprofessional or unethical conduct in the course of any real estate or appraisal transaction.

4. By the conduct described in the Findings of Fact, Anne E. M. Thorstenson violated Wis. Admin. Code § SPS 86.01(10) by failing to cooperate in a timely manner with the Board's investigation of a complaint following a request for information made by the Board.

5. As a result of the above violations, Anne E. M. Thorstenson has violated Wis. Admin. Code § 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. The VOLUNTARY SURRENDER of the right to renew the Certified Residential Appraiser certificate of licensure and certification of Anne E. M. Thorstenson (certificate number 1202-9) is hereby ACCEPTED.

3. Respondent shall not re-apply for any certificate of licensure or certification issued by the Board for a period of three (3) years following the date of this Order.

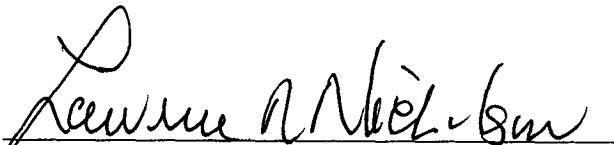
4. Should Respondent Anne E. M. Thorstenson re-apply for a certificate of licensure or certification issued by the Board:

- a. Respondent shall pay the COSTS of this matter in the amount of \$400, before any such application may be considered.

- b. Respondent shall submit a new application for a certificate of licensure or certification issued by the Board and meet all requirements for obtaining a certificate of licensure or certification existing at the time of the application.
- c. The Board may determine whether and under what terms and conditions such certificate of licensure or certification may be granted.

5. Violation of any terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a revocation of Respondent's right to re-apply for a certificate of licensure or certification. In its discretion the Board may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: 
A Member of the Board

11/12/2014
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ANNE E. M. THORSTENSON,
RESPONDENT.

:
:
:
:
:

STIPULATION

0003523

Division of Legal Services and Compliance Case No. 14 APP 032

Respondent Anne E. M. Thorstenson and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, 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 Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- 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 Respondent 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 is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Real Estate Appraisers Board (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 Legal Services and Compliance 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 Legal Services and Compliance 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 Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

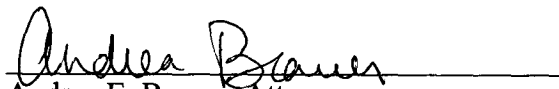
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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



Anne E. M. Thorstenson, Respondent
2323 Anderson Rd.
Duluth, MN 55811
Certificate no. 1202-9

10/9/2014
Date



Andrea E. Brauer, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

10/13/14
Date