

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

JACK C. LIDBETTER,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0003721**

Division of Legal Services and Compliance Case No. 13 APP 047

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

Jack C. Lidbetter
W3534 Wildwood Dr.
Lake Geneva, WI 53147

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 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 Jack C. Lidbetter (dob May 20, 1949) is certified in the State of Wisconsin as a Certified General Appraiser, having certificate of licensure and certification number 795-10, first issued on May 1, 1996 and current through December 14, 2015. Jack C. Lidbetter's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W3534 Wildwood Ln., Lake Geneva, WI 53147.

2. On August 3, 2012, Respondent signed an appraisal report for an appraisal of property located at 846 Main Street, Lake Geneva, WI 53147.

3. On or about July 31, 2013, the Department received a complaint alleging Respondent had performed multiple appraisals that violated the Uniform Standards of Professional Appraisal Practice (USPAP). Division of Legal Services and Compliance (DLSC) Case Number 13 APP 047 was subsequently opened for investigation.

4. DLSC reviewed Respondent's appraisal report, and it was determined that the appraisal and appraisal report violated USPAP.

5. Respondent does not admit to any violations alleged in DLSC Case Number 13 APP 047, but he does not wish to contest them.

6. Respondent is retired and wishes to resolve DLSC Case Number 13 APP 047 pursuant to the voluntary surrender of his Certified General Appraiser certificate of licensure and certification.

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. As a result of the USPAP violations referenced above, Jack C. Lidbetter is subject to discipline pursuant to Wis. Stat. § 458.26(3)(b), (c) and (i).

ORDER

1. The attached Stipulation is accepted.

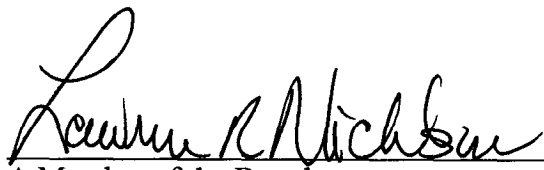
2. The VOLUNTARY SURRENDER of the Certified General Appraiser certificate of licensure and certification issued to Respondent Jack C. Lidbetter (number 795-10) is ACCEPTED.

3. This surrender constitutes Respondent's permanent relinquishment of his Certified General Appraiser certificate of licensure and certification and his right to practice as a real estate appraiser in the State of Wisconsin. The Board will not, at any time in the future, process or otherwise consider an application or attempt at renewal by Respondent of credentials necessary to practice as an appraiser in the State of Wisconsin.

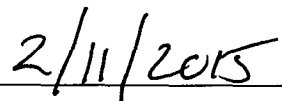
4. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:


A Member of the Board

Date



STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JACK C. LIDBETTER,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0003721

Division of Legal Services and Compliance Case No. 13 APP 047

Respondent Jack C. Lidbetter 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.

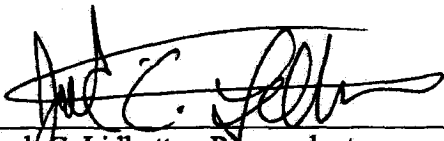
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

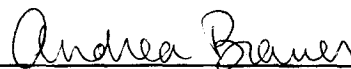
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Jack C. Lidbetter, Respondent
W3534 Wildwood Lane
Lake Geneva, WI 53147
Credential no. 795-10

1/30/15

Date



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

2/3/15

Date