

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

WILLARD C. PARR,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0004346

Division of Legal Services and Compliance Case Nos. 13 APP 076 and 13 APP 084

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

Willard C. Parr
1814 W. 13th Avenue
Friendship, WI 53934

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 Willard C. Parr (dob 9/16/1947) is certified in the State of Wisconsin as a certified residential appraiser, having certificate of licensure and certification number 371-9, first issued on January 29, 1992 and current through December 14, 2015. Willard C. Parr's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1814 W. 13th Avenue, Friendship, Wisconsin 53934.

2. On August 25, 2010, Respondent was disciplined by the Board for violations of the Uniform Standards of Professional Appraisal Practice (USPAP) as a result of his conduct in two separate appraisals. Respondent signed both appraisal reports which contained numerous USPAP violations as the supervising appraiser of a trainee appraiser. Respondent was

reprimanded and his certificate was limited to require completion of 45 hours of education related to basic appraisal principles or procedures and to prohibit Respondent from supervising or training others in the real estate appraisal profession or relying on another person's work in his appraisal reports until he successfully completed the education. Respondent was further ordered to pay costs of \$2,201.93.

3. Respondent completed all requirements and his certificate was reinstated in full on December 16, 2010.

13 APP 076

4. On February 6, 2013, Respondent performed an appraisal of property located at N9255 Becker Road, Westfield, Wisconsin 53964.

5. On or about August 16, 2013, the Department received a complaint alleging that the subject appraisal failed to comply with USPAP. Division of Legal Services and Compliance (Division) Case Number 13 APP 076 was subsequently opened for investigation.

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

- a. Respondent reported incorrect site dimensions, site area and specific zoning classification for the subject property. [SR 1-1(c).]
- b. Respondent reported inconsistent ages of the subject property in the body of and environmental addendum to the appraisal report. [SR 1-1(c).]
- c. Respondent failed to retain in the work file a copy of an earlier appraisal report he submitted to the client for the subject property and failed to include data to support the opinion of value for the site and the cost opinion. [Record Keeping Rule.]

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7. On April 24, 2013, Respondent performed an appraisal of property located at N9338 5th Drive, Westfield, Wisconsin 53964.

8. Upon request of the owner, Respondent made revisions to the original appraisal and issued a second appraisal report for the subject property on June 19, 2013.

9. On or about September 12, 2013, the Department received a complaint alleging that Respondent did not personally inspect the subject property and that the appraisal report contained several errors. Division Case Number 13 APP 084 was subsequently opened for investigation.

10. Respondent's appraisal was reviewed by the Division and it was determined that the appraisal and appraisal report violated USPAP Rules and/or (SR) as follows:

- a. Respondent failed to report the site dimensions and identified an incorrect site area and an incorrect specific zoning classification for the subject property. [SR 1-1(c).]
- b. Respondent failed to describe the support and rationale for his opinion for the highest and best use of the subject property. [SR 2-2(b)(ix).]
- c. Respondent reported inconsistent dates of a prior sale of the subject property within the appraisal report and the F.I.R.R.E.A. addendum. [SR 1-1(c).]
- d. Respondent reported inconsistent vacant land sales within the previous year in the April 24, 2013 and the June 19, 2013 appraisal reports for the subject property. [SR 1-1(c).]
- e. Respondent failed to provide a summary and analysis of comparable land sales used to develop his opinion of site value in the cost approach. [Scope of Work Rule, SR 1-4(b)(i), SR 2-1(b).]
- f. Respondent failed to retain a copy of the initial appraisal report and failed to include support for his opinion of value for the subject property site and data to support the cost determination in his work file. [Record Keeping Rule.]

10. 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, Willard C. Parr violated the USPAP Record Keeping Rule by failing to include true copies of any written reports and all other data, information and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with USPAP, or references to the locations(s) of such documentation.
3. By the conduct described in the Findings of Fact, Willard C. Parr violated the USPAP Scope of Work Rule by failing to determine and perform the scope of work necessary to develop credible assignment results.
4. By the conduct described in the Findings of Fact, Willard C. Parr violated USPAP SR 1-1(c) by rendering appraisal services in a careless or negligent manner, such as by making a series of errors that, although individually might not significantly affect the results of an appraisal, in the aggregate affected the credibility of those results.

5. By the conduct described in the Findings of Fact, Willard C. Parr violated USPAP SR 1-4(b)(i) by failing to develop an opinion of site value by an appropriate appraisal method or technique.

6. By the conduct described in the Findings of Fact, Willard C. Parr violated USPAP SR 2-1(b) by failing to include sufficient information in the appraisal report to enable the intended users of the appraisal to understand the report properly.

7. By the conduct described in the Findings of Fact, Willard C. Parr violated USPAP SR 2-2(b)(ix) by failing to summarize the support and rationale for an opinion of highest and best use of the subject property.

8. As a result of the above violations, Willard C. Parr 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. Respondent Willard C. Parr is SUSPENDED for a period of 30 days starting 10 days after the date of this Order.
3. The certified residential appraiser certificate of licensure and certification issued to Willard C. Parr (no. 371-9) is LIMITED as follows:
 - a. Within 120 days of the date of this Order, Respondent shall successfully complete 60 hours of education consisting of the following courses offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses:
 - i. USPAP (15 hours);
 - ii. Residential Site Valuation and Cost Approach (15 hours);
 - iii. Residential Market Analysis and Highest and Best Use (15 hours);
and
 - iv. Advanced Residential Applications and Case Studies (15 hours).
 - b. The courses listed above may be taken in person in a classroom setting or online.
 - c. Respondent shall submit proof of successful completion of education and passage of any examination as ordered 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, and also may not be used in future attempts to upgrade a credential in Wisconsin.

d. These limitations shall be removed from Respondent's certificate of licensure and certification after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education and passed any examinations.

4. The certified residential appraiser certificate of licensure and certification issued to Willard C. Parr (no. 371-9) is further LIMITED to prohibit Respondent from serving as a supervisory appraiser for a period of 60 days from the date of this Order or until all education is completed and submitted to the Department, whichever is sooner.

5. The certified residential appraiser certificate of licensure and certification issued to Willard C. Parr (no. 371-9) is further LIMITED as follows:

a. No later than 230 days from the date of this Order, Respondent shall submit to the Department Monitor a log of ten (10) residential property appraisals he completed since the date of this Order. Each log entry shall specify:

- i. The specific location of each appraised property,
- ii. The name and contact information for the client of each appraised property,
- iii. The approaches to value considered for each appraised property, and
- iv. The approaches to value completed for each appraised property.

b. The Board or its designee shall select one (1) appraisal at random from the log for review.

c. Within fifteen (15) days after the Board or its designee informs Respondent of any appraisal selected for review, Respondent shall submit the appraisal report and the full work file for the selected appraisal.

d. Respondent shall promptly reply to any questions the Board or its designee may have concerning any of Respondent's submissions within ten (10) days of a request by the Board or its designee.

e. The Board or its designee shall review the submitted appraisal to determine if it is minimally competent as deemed satisfactory by the Board or its designee. If the appraisal initially selected is found not to be minimally competent by the Board or its designee, up to two additional appraisals may be selected from the log for review.

- f. This limitation shall be removed after Respondent has submitted one minimally competent report, as deemed satisfactory by the Board or its designee. If the Board or its designee does not find a minimally competent report after review of three appraisal reports from the log, this limitation shall end and Respondent may be referred to the Division for additional action.
6. Respondent shall not apply for or be granted an upgrade to his credential during the term of the limited credential.
7. Respondent shall be responsible for all costs of complying with the terms of the limitations on his credential.
8. Within 90 days from the date of this Order, Willard C. Parr shall pay COSTS of this matter in the amount of \$500.00.
9. Proof of successful course completion, passage of any examinations, submission of the log, submission of the selected appraisals and any requested additional information, 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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov
10. 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 certificate of licensure and certification. 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, fails to provide the required log, submit the selected appraisal(s) for review as ordered and provide any requested additional information, or fails to comply with the ordered education and passage of any examination as set forth above, Respondent's certificate of licensure and certification (no. 371-9) 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 costs, completion of the education and passage of any examination, and submission of the log, the selected appraisal(s) for review and any requested additional information.
11. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:


A Member of the Board

Date

11/11/2015

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WILLARD C. PARR,
RESPONDENT.

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STIPULATION

0004346

Division of Legal Services and Compliance Case Nos. 13APP 076 and 13 APP 084

Respondent WILLARD C. PARR 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. Respondent is represented by Attorney William A. Abbott.
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.

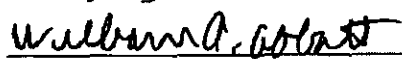
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, 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.

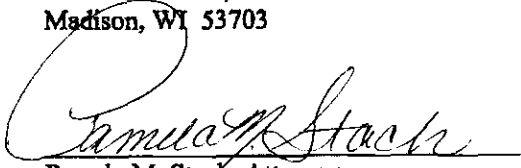
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Willard C. Parr, Respondent
1814 W. 13th Ave.
Friendship, WI 53934
License no. 371-9

11-10-15
Date


William A. Abbott, Attorney for Respondent
Bell Moore & Richter SC
44 E. Mifflin St., Ste. 1000
Madison, WI 53703

11-10-15
Date


Pamela M. Stach, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

11-10-15
Date