

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

JAMES A. BEGG III,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

0004527

Division of Legal Services and Compliance Case No. 15 APP 005

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

James A. Begg III
12545 30th Street Circle E
Parrish, FL 34219

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 James A. Begg III (dob September 17, 1950) is certified in the State of Wisconsin as a Certified Residential Appraiser, having certificate of licensure and certification number 903-9, first issued September 21, 1994 and expired as of December 15, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 12545 30th Street Circle E, Parrish, Florida 34219.

2. Respondent was licensed as a State Certified Residential Real Estate Appraiser (license number 7341) in the State of Florida.

3. On November 14, 2012, Florida's Real Estate Appraisal Board (FREAB) entered a Final Order (#2012-07540) finding that Respondent had violated various Florida State Statutes and Administrative Rules regulating the practice of real estate appraisers in Florida.

4. Respondent failed to comply with the terms of the FREAB's Final Order dated November 14, 2012.

5. On April 29, 2014, Respondent completed, executed and submitted a Voluntary Relinquishment form to surrender his appraiser license in settlement of FREAB's case #2011-038800 and Final Order #2012-07540.

6. On January 9, 2015, the FREAB entered a Final Order accepting Respondent's voluntary surrender of his State Certified Residential Real Estate Appraiser license (number 7341).

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. Pursuant to Wis. Stat. § 440.08(3) Respondent retains the right to renew his Wisconsin certification (no. 903-9) until December 14, 2018.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § SPS 86.01(13) by engaging in conduct which reflects adversely on his 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, Respondent engaged in conduct which reflects adversely on his fitness to practice as a real estate appraiser in this state pursuant to Wis. Admin. Code § SPS 86.01(14) by having an order entered against Respondent finding a violation of law by a regulatory authority of another jurisdiction.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 458.26(3)(b) and (i).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of Respondent James A. Begg III's certificate of licensure and certification as a Certified Residential Appraiser (credential number 903-9) is hereby ACCEPTED.

3. This surrender constitutes Respondent's permanent relinquishment of his right to renew or reinstate his Certified Residential Appraiser certificate of licensure and certification and his right to practice 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 a Certified Residential Appraiser in the State of Wisconsin.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: Lawrence R. Nicholson
A Member of the Board

2/10/2016
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAMES A. BEGG III,
RESPONDENT.

STIPULATION

0004527

Division of Legal Services and Compliance Case No. 15 APP 005

Respondent James A. Begg III 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.

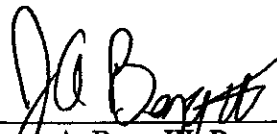
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

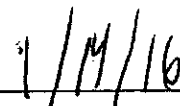
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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



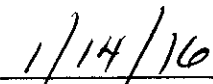
James A. Begg III, Respondent
12545 30th Street Circle E
Parrish, FL 34219
Credential no. 903-9



Date



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



Date