

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

GEOFF G. GOODLAD,
RESPONDENT.

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FINAL DECISION AND ORDER

0004850

Division of Legal Services and Compliance Case No. 15 APP 047

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

Geoff G. Goodlad
N64W20295 Mill Road
Menomonee Falls, WI 53051-4819

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 Geoff G. Goodlad (DOB 03/31/1967) is certified by the State of Wisconsin as a Certified Residential Appraiser, having certificate of licensure and certification number 1730-9, first issued on February 5, 2009 and current through December 14, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is N64W20295 Mill Road, Menomonee Falls, Wisconsin 53051-4819.

2. On February 26, 2014, Respondent performed an appraisal of property located at 2141 South 94th Street, West Allis, Wisconsin 53227, with the assistance of a trainee.

3. The trainee subsequently applied for a Licensed Appraiser certificate of licensure and submitted the above appraisal as part of his application.

4. The Real Estate Appraiser Application Committee reviewed the above appraisal and found it violated the Uniform Standards of Professional Appraisal Practice (USPAP) and filed a complaint on or about September 8, 2015, with the Division of Legal Services and Compliance (DLSC). DLSC subsequently opened DLSC Case Number 15 APP 047 for investigation.

5. DLSC reviewed Respondent's appraisal and it was determined that the appraisal and appraisal report violated the Uniform Standards of Professional Appraisal Practice (USPAP) Rules and/or Standards Rules (SR) as follows:

- a. Respondent made a series of errors that affected the credibility of the assignment results, including misreporting the number of comparable properties sold within the subject property's neighborhood; not providing the full name of the owner in the appraisal report; not disclosing in his appraisal report that Comparable Sale #1 was located outside of the subject property's neighborhood; and failing to adjust for Comparable listing #5's fireplace. [Scope of Work Rule, SR 1-1(c).]
- b. Respondent did not summarize the support for his opinion of the subject property's highest and best use. [SR 2-2(a)(x).]
- c. Respondent incorrectly reported that Comparable Sale #1 had no concessions. [SR 1-1(b,c), SR 1-4(a).]
- d. In the Cost Approach, Respondent did not provide a summary of the method used to develop his opinion of site value; Respondent did not report the correct data source for his cost data; and Respondent failed to retain a copy of the data to support his opinion of cost figures used in the report. [Record Keeping Rule, Scope of Work Rule, SR 1-1(c), SR 2-1(a,b).]

6. On September 11, 2015, February 2, 2016, and April 18, 2016, a DLSC investigator requested, on behalf of the Board, a copy of Respondent's workfile and his report. On June 21, 2016, Respondent supplied DLSC with the appraisal report and workfile.

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, Geoff G. Goodlad violated the USPAP Scope of Work Rule by failing to determine and perform the scope of work necessary to develop credible assignment results.

3. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated the USPAP Record Keeping Rule by failing to include in his workfile all other data, information, and documentation necessary to support his opinions and conclusions.

4. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated USPAP SR 1-1(b) and (c) by:

- a. committing a substantial error of omission or commission that significantly affected an appraisal; and
- b. 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 affects the credibility of those results.

5. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated USPAP SR 1-4(a) by failing to analyze such comparable sales data as were available to indicate a value conclusion, when a Sales Comparison Approach was necessary for credible assignment results.

6. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated USPAP SR 2-1(a) and (b) by:

- a. failing to clearly and accurately set forth the appraisal in a manner that will not be misleading; and
- b. failing to include in his appraisal report sufficient information to enable the intended users of the appraisal to understand the report properly.

7. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated USPAP SR 2-2(a)(x) by failing to summarize the support and rationale for his opinion of the subject property's highest and best use.

8. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated Wis. Stat. § 458.18(3) by failing to, upon reasonable notice, make the records of each appraisal report prepared by him and all other records that, in his opinion, are material to each appraisal report prepared by him available for inspection and copying by the Department or the Board.

9. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated Wis. Admin. Code § SPS 86.01(8) by failing to make records, as defined in Wis. Stat. § 458.18, available to the Department, Board, or agents of the Department or Board upon request for purposes of investigation, review, or audit.

10. By the conduct described in the Findings of Fact, Geoff G. Goodlad violated Wis. Admin. Code § SPS 86.01(10) by failing to cooperate in a timely manner with the Board's

investigation of a complaint filed against him, after a request for information has been made. There is a rebuttable presumption that a licensed or certified appraiser who takes longer than ten (10) business days to respond to a request for information by the Board has not acted in a timely manner.

11. As a result of the above USPAP violations, Geoff G. Goodlad violated Wis. Admin. Code § SPS 86.01(1) and (2).

12. As a result of the above violations and conduct, Respondent 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 Geoff G. Goodlad is REPRIMANDED.
3. The Certified Residential Appraiser certificate of licensure and certification issued to Geoff G. Goodlad (number 1730-9) is LIMITED as follows:
 - a. Within ninety (90) days from the date of this Order, Respondent shall successfully complete twenty-four (24) 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. Essential Elements of Disclosures and Disclaimers (5 hours),
 - iii. Workfile Documentation for Appraisers (4 hours), and
 - 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 the ordered 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, and also may not be used in future attempts to upgrade a credential in Wisconsin.
4. Within ninety (90) days from the date of this Order, Geoff G. Goodlad shall pay COSTS of this matter in the amount of \$930.
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 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

6. 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 certificate of licensure and certification (number 1730-9), or Respondent's right to renew his certificate of licensure and certification, 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 and completion of the education.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: Larry Nicholson
A Member of the Board *LN*

8/4/16
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

GEOFF G. GOODLAD,
RESPONDENT.

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:
:

STIPULATION

0004850

Division of Legal Services and Compliance Case No. 15 APP 047

Respondent Geoff G. Goodlad 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.

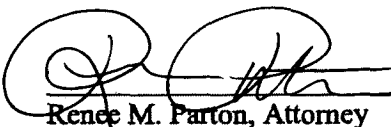
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Geoff G. Goodlad, Respondent
N64W20295 Mill Rd.
Menomonee Falls, WI 53051-4819
Credential no. 1730-9

7/29/16

Date



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

7/29/2016

Date