

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
JASON J. CURRIE, :  
RESPONDENT. :

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Division of Legal Services and Compliance Case No. 15 APP 060

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

Jason J. Currie  
310 Grant Street  
Waunakee, WI 53597

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 Jason J. Currie (DOB 06/18/1970) is licensed by the State of Wisconsin as a Licensed Appraiser, having certificate of licensure number 1753-4, first issued on March 8, 2004 and current through December 14, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 310 Grant Street, Waunakee, Wisconsin 53597.

2. On January 16, 2014, Respondent performed an appraisal of property located at 9714 East Perry Center Road, Mount Horeb, Wisconsin 53572 (Perry Center Road).

3. On August 24, 2014, Respondent performed an appraisal of property located at 3918 Terminal Drive, McFarland, Wisconsin 53558 (Terminal Drive).

4. On or about December 2, 2015, the Department received a complaint alleging that the subject appraisals violated the Uniform Standards of Professional Appraisal Practice (USPAP). The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 15 APP 060 for investigation.

5. Respondent's appraisals were reviewed by DLSC and it was determined that the appraisals and appraisal reports violated USPAP Rules and/or Standards Rules (SR) as follows:

a. In both appraisal reports, in the Site Section, Respondent failed to correctly identify the site dimensions and did not report the correct zoning description for the subject property. [Scope of Work Rule, SR 1-1(c).]

b. In the Terminal Drive appraisal report, in the Contract Section, Respondent's workfile did not include a copy of the purchase contract and Respondent failed to verify and adequately analyze the circumstances of the sale agreement between the parties. [Record Keeping Rule, SR 1-5(a).]

c. In both appraisal reports, in the Site Section, Respondent failed to describe the support and rationale for his opinion of the subject property's highest and best use. [SR 2-2(a)(x).]

i. In the Perry Center Road appraisal report, Respondent failed to address whether the smaller parcel could be sold off and if the highest and best use of the smaller parcel was the same as the larger parcel. [Scope of Work Rule, Competency Rule.]

ii. In the Terminal Drive appraisal report, Respondent failed to identify that his Scope of Work was limited to only valuing the subject property in "as is" condition. [Scope of Work Rule, Competency Rule.]

d. In the Perry Center Road appraisal report, in the Site Section, Respondent failed to investigate whether the property may have been enrolled in a type of set-aside program that may restrict the use of the property. [Competency Rule, SR 1-1(c), SR 1-2(e)(i), SR 2-1(b).]

e. In both appraisal reports, in the Sales Comparison Approach Section, Respondent failed to correctly report the data for comparable properties located in the subject's neighborhood, on the top of page two of the report, by reporting data for all one-unit housing in the delineated neighborhood and not only the comparable properties. [Scope of Work Rule, SR 1-1(c).]

f. In the Perry Center Road appraisal report, in the Sales Comparison Approach Section, Respondent failed to support his adjustments, did not base his adjustments on the actual value, and could not adequately explain how to support his adjustments. [Competency Rule, SR 1-1(a,c), SR 1-2(e)(i), SR 2-1(b).]

g. In both appraisal reports, in the Cost Approach Section, Respondent failed to provide a summary of the sales data used to develop his opinion of site value and did not have in his workfile the data or the analysis to support his opinion of value. Respondent used tax assessments, an unapproved method, to determine market value. [Record Keeping Rule, Scope of Work Rule, SR 1-1(a,c), SR 2-1(b).]

h. In both appraisal reports, in the Cost Approach Section, Respondent utilized outdated data or misreported the effective date of the cost data, and his workfile did not include support for his cost data. [Record Keeping Rule, Scope of Work Rule, SR 1-1(c), SR 2-1(b).]

6. 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, Jason J. Currie violated the USPAP Competency Rule by failing to be competent to perform the assignment.

3. By the conduct described in the Findings of Fact, Jason J. Currie violated the USPAP Scope of Work Rule by failing to properly identify the problem to be solved in order to determine the appropriate scope of work and by failing to gather and analyze information about those assignment elements that are necessary to properly identify the appraisal problem to be solved.

4. By the conduct described in the Findings of Fact, Jason J. Currie 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.

5. By the conduct described in the Findings of Fact, Jason J. Currie violated USPAP SR 1-1(a) and (c) by:

a. failing to be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal;

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.

6. By the conduct described in the Findings of Fact, Jason J. Currie violated USPAP SR 1-2(e)(i) by failing to identify the characteristics of the property that are relevant to the type and definition of value and intended use of the appraisal, including its location and physical, legal, and economic attributes.

7. By the conduct described in the Findings of Fact, Jason J. Currie violated USPAP SR 1-5(a) by failing to analyze all agreements of sale, options, and listings of the subject property current as of the effective date of the appraisal.

8. By the conduct described in the Findings of Fact, Jason J. Currie violated USPAP SR 2-1(b) by failing to include in his appraisal report sufficient information to enable the intended users of the appraisal to understand the report properly.

9. By the conduct described in the Findings of Fact, Jason J. Currie violated USPAP SR 2-2(a)(x) by failing to summarize the support and rationale for his opinion of highest and best use.

10. As a result of the above USPAP violations, Jason J. Currie violated Wis. Admin. Code § SPS 86.01(1) and (2).

11. 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 Jason J. Currie is REPRIMANDED.
3. The Licensed Appraiser certificate of licensure issued to Jason J. Currie (number 1753-4) is LIMITED as follows:
  - a. Within 60 days from 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(s) offered for the courses:
    - i. USPAP (15 hours),
    - ii. Residential Market Analysis and Highest & Best Use (15 hours),  
and
    - iii. Basic Appraisal Procedures (30 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 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 90 days from the date of this Order, Jason J. Currie shall pay COSTS of this matter in the amount of \$1,960.

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  
DPSMonitoring@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 (number 1753-4), or Respondent's right to renew his certificate of licensure, 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: Dennis Myers  
A Member of the Board

5-23-17  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JASON J. CURRIE,  
RESPONDENT.

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:  
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STIPULATION

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Division of Legal Services and Compliance Case No. 15 APP 060

Respondent Jason J. Currie 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.

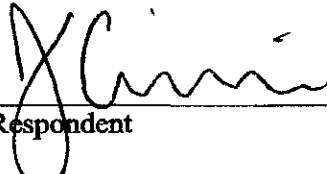
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

  
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Jason J. Currie, Respondent  
310 Grant Street  
Waunakee, WI 53597  
Credential no. 1753-4

4/24/2017  
Date

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

4/24/2017  
Date