

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 :
 : FINAL DECISION AND ORDER
CANDICE N. PAQUET, :
RESPONDENT. :

0005317

Division of Legal Services and Compliance Case Nos. 16 APP 040 & 16 APP 053

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

Candice N. Paquet
P.O. Box 734
Eagle River, WI 54521-1772

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 Candice N. Paquet (DOB 05/19/1986) is licensed by the State of Wisconsin as a licensed appraiser, having certificate of licensure number 2041-4, first issued on August 20, 2007 and current through December 14, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is P.O. Box 734, Eagle River, Wisconsin 54521.

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2. On June 7, 2016, Respondent was hired to complete three private appraisals on three vacant lots in the Town of Long Lake, Florence County, Wisconsin. Respondent was paid \$250 in advance, which was one half of the fee.

3. On June 13, 2016, the client emailed Respondent requesting that the appraisals be scanned and emailed as well as sent through the mail. Respondent responded the same day stating that she could do that, however, her internet was down due to a storm and she was hoping it would be working again that day or the next day.

4. On June 27, 2016, the client emailed Respondent stating she was still looking for the appraisals and asked Respondent for her time table as to when she would be sending the appraisals. Respondent did not respond to this email.

5. On June 28, 2016, the client emailed Respondent stating that she needed the appraisals by no later than July 9, 2016, for a court matter. Respondent responded the same day and indicated she would have the appraisals completed by the deadline and apologized for the delay.

6. The client never received her appraisals.

7. On July 12, 2016, the client emailed Respondent and asked for her money to be refunded.

8. Respondent has not returned the \$250 advance payment to the client.

9. The Department emailed Respondent on September 15, 2016, and to date has not received a response.

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10. On September 9, 2016, Respondent accepted an appraisal assignment from a lender for an appraisal of residential property located at 2364 Black Forest Road, Winchester, Wisconsin. The assignment deadline was September 21, 2016. Respondent inspected the property on September 17, 2016.

11. The lender attempted to reach Respondent via phone calls and messages through an appraisal network on September 23, 25, 27, 29, 30, 2016, and October 1, 3, 5, 6, 7, 9, 11, 13, 15, 2016.

12. On October 13, 2016, the lender spoke with Respondent, who indicated she was not in the office and she would update the appraisal network. Respondent never updated the appraisal network.

13. Respondent never completed the assignment.

14. 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, Candice N. Paquet engaged in conduct which reflects adversely on her fitness to practice as a real estate appraiser pursuant to Wis. Admin. Code § SPS 86.01(13) by engaging in unprofessional and unethical conduct in the course of a real estate appraisal transaction.

3. As a result of the above violation, Candice N. Paquet is subject to discipline pursuant to Wis. Stat. § 458.26(3)(b) and (i).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Candice N. Paquet's licensed appraiser certificate of licensure (no. 2041-4) is hereby SUSPENDED indefinitely from the date of this Order.

3. Respondent may petition the Board for reinstatement of her certificate of licensure (no. 2041-4) to practice as a licensed appraiser. Any such petition shall include all of the following:

a. Proof of successful completion of the USPAP (15-hours) course, including taking and passing any exam(s) offered for the course, in the form of verification from the institution providing the education.¹

b. A written statement from Respondent addressing the unprofessional conduct described in the Findings of Fact.

4. The Board may determine under what terms and conditions any petition may be granted and licensure may be reinstated. A denial of such a petition shall not be deemed a denial of license under Wis. Stat. § 227.42 or Wis. Admin. Code Ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

5. Within ninety (90) days from the date of this Order, Candice N. Paquet shall pay COSTS of this matter in the amount of \$890.

¹ The course may be taken in person in a classroom setting or online. 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.

6. Any petition to the Board 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

7. In the event Respondent fails to timely submit payment of the costs as ordered, Respondent's certificate of licensure (no. 2041-4), or Respondent's right to renew her certificate of licensure, may, in the discretion of the Board or its designee, be further SUSPENDED, without other notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: 
A Member of the Board

5-23-17
Date

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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CANDICE N. PAQUET,
RESPONDENT.

STIPULATION

00053 17

Division of Legal Services and Compliance Case Nos. 16 APP 040 & 16 APP 053

Respondent Candice N. Paquet 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

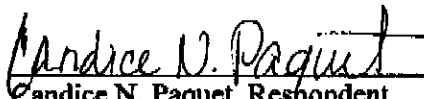
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of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

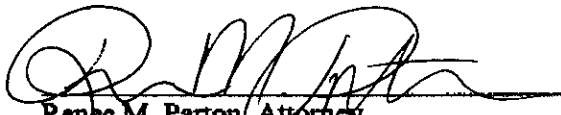
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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


Candice N. Paquet, Respondent
P.O. Box 734
Eagle River, WI 54521-1772
Credential no. 2041-4

3/30/2017
Date


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

4/6/2017
Date