

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE CERTIFICATE OF :
: FINAL DECISION AND ORDER
DENNIS P. DOUCETTE, : FOR REMEDIAL EDUCATION
LICENSEE. :
: **0005346**

Division of Legal Services and Compliance Case No. 16 APP 051

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

Dennis P. Doucette
6830 N. Seville Ave.
Glendale, WI 53209

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 Wisconsin 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. Licensee Dennis P. Doucette (DOB 11/16/1961) is licensed by the State of Wisconsin as a Licensed Appraiser, having certificate of licensure number 1590-4, first issued on July 3, 2003 and current through December 14, 2017. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 6830 North Seville Avenue, Glendale, Wisconsin 53209.

2. On September 7, 2016, Licensee completed an appraisal of property located at N29W26640 Peterson Drive, Pewaukee, Wisconsin 53072.

3. On or about September 19, 2016, the Department received a complaint alleging that the subject appraisal violated the Uniform Standards of Professional Appraisal Practice

(USPAP). Division of Legal Services and Compliance Case Number 16 APP 051 was subsequently opened for investigation.

4. Licensee's appraisal was reviewed by the Division of Legal Services and Compliance (DLSC) and found to be deficient in the following ways:

a. In the Site section, Licensee reported the wrong source for the site dimensions. [Standards Rule (SR) 1-1(c).]

b. In the Improvement section, Licensee failed to indicate in his report that a portion of the foundation was a concrete slab. Licensee also indicated the kitchen was located on the main floor, but his sketch indicated the kitchen was located on the second floor. [SR 1-1(c).]

c. In the Sales Comparison Approach section, Licensee based his adjustments for lot values on the assessed value and then indicated the adjustments were equal to 25% of the difference in adjusted fair market value between the comparables and the subject property. There was no support for the percentage adjustment in the report or workfile. [Record Keeping Rule, Scope of Work Rule, SR 1-1(a,c).]

d. In the Cost Approach section, Licensee failed to summarize how his site value was determined and did not have in his workfile the data or the analysis to support his opinion of value. Licensee indicated to DLSC that the site value was the assessed land value. [Record Keeping Rule, Scope of Work Rule, SR 1-1(a), SR 1-4(b)(i).]

e. In the Cost Approach section, Licensee failed to support his opinion of 100 years economic life and was unable to reproduce the cost figures used in his report. Licensee incorrectly reported the quality rating for the subject property. [Record Keeping Rule, SR 1-1(c).]

5. In resolution of this matter, Licensee consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. §§ 227.44(5) and 458.26.

ORDER

1. The attached Stipulation is accepted.

2. Within 60 days of the date of this Order, Dennis P. Doucette shall, at his own expense, take and successfully complete 34 hours of education as follows:

a. USPAP (15 hours),

- b. Workfile Documentation for Appraisers (4 hours), and
- c. Residential Appraiser Site Valuation and Cost Approach (15 hours).
- d. The USPAP (15 hours) course shall be taken online; however, all other courses listed above may be taken online or in person in a classroom setting.
- e. Each course attended in satisfaction of this Order must be offered by a provider pre-approved by the Board or its designee. Licensee shall be responsible for locating course(s) satisfactory to the Board and for obtaining the required approval of the course(s) from the Board or its designee. Licensee must take and pass any exam offered for the course(s).
- f. Licensee shall submit proof of successful completion of the 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 Department and may not be used in any future attempt to upgrade a credential.


3. Within 90 days from the date of this Order, Licensee shall pay COSTS of this matter in the amount of \$1,473.

4. Requests for course approval, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Licensee 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

- 5. This Order does not constitute discipline.
- 6. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE APPRAISERS BOARD

by: 
 A Member of the Wisconsin Real
 Estate Appraisers Board

6/20/2017
 Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE CERTIFICATE OF :
: STIPULATION
DENNIS P. DOUCETTE, :
: 0005346
LICENSEE. :
:

Division of Legal Services and Compliance Case No. 16 APP 051

Licensee Dennis P. Doucette 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. Licensee consents to the resolution of this investigation by Stipulation.

2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Licensee, 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 Licensee;
- the right to call witnesses on Licensee's behalf and to compel their attendance by subpoena;
- the right to testify on Licensee'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 Licensee under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Licensee is aware of Licensee's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Licensee agrees to the adoption of the attached Final Decision and Order for Remedial Education 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. Licensee 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 Licensee, 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. Licensee 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 Licensee in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Dennis P. Doucette, Licensee
6830 N. Seville Ave.
Glendale, WI 53209
Certificate No. 1590-4

5/25/17

Date



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

5/26/2017

Date