

## 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

TIMOTHY A. CHRIST,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
:

**0006034**

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Division of Legal Services and Compliance Case No. 18 APP 029

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

Timothy A. Christ  
1428 Josephine St.  
Waukesha, WI 53186

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 Timothy A. Christ (DOB June 6, 1968) is licensed by the State of Wisconsin as a Certified Residential Appraiser, having certificate of licensure and certification number 1629-9, first issued on December 7, 2007 and current through December 14, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1428 Josephine Street, Waukesha, Wisconsin 53186.

2. On April 6, 2018, Respondent performed an appraisal of property located at W298N731 Kings Way, Waukesha, Wisconsin 53188.

3. On or about June 4, 2018, 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 (DLSC) Case Number 18 APP 029 was subsequently opened for investigation.

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

a. Respondent's initial appraisal report failed to disclose that the subject property was being remodeled and that he used photos provided by the homeowner that did not depict the condition of the subject property at the time of his inspection. [Ethics Rule.]

b. In the Neighborhood section, Respondent failed to adequately report the neighborhood characteristics and uses within the subject property's delineated neighborhood. [SR 2-1(b).]

c. In the Site section, Respondent incorrectly reported the specific zoning classification and zoning description of the subject property. [SR 1-2(e)(i,iv), SR 2-1(b).]

d. In the Sales Comparison Approach section, Respondent incorrectly reported the price range for comparable sales within the past twelve months and did not have in his workfile the data or analysis to support his opinions and conclusions. [Record Keeping Rule, Scope of Work Rule, SR 2-1(a).]

e. In the Cost Approach section, Respondent failed to provide a summary of the sales data or extraction method used to develop his opinion of site value and did not have in his workfile the data or analysis to support his opinion of value. [Scope of Work Rule, Record Keeping Rule.]

5. 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, Timothy A. Christ violated the USPAP Ethics Rule by failing to perform the assignment with impartiality, objectivity and independence, and without accommodation of personal interests, and by communicating a report that was known by him to be misleading or fraudulent.

3. By the conduct described in the Findings of Fact, Timothy A. Christ violated the USPAP Scope of Work Rule by failing to gather and analyze information about those assignment elements that were necessary to properly identify the appraisal problem to be solved.

4. By the conduct described in the Findings of Fact, Timothy A. Christ violated the USPAP Record Keeping Rule by failing to include in his workfile all data, information, and documentation necessary to support his opinions and conclusions and to show compliance with USPAP.

5. By the conduct described in the Findings of Fact, Timothy A. Christ violated USPAP SR 1-2(e)(i) and (iv) 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:

- a. its location and physical, legal, and economic attributes, and
- b. any known easements, restrictions, encumbrances, leases, reservations, covenants, contracts, declarations, special assessments, ordinances, or other items of a similar nature.

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

- a. failing to clearly and accurately set forth the appraisal in a manner that would 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. As a result of the above violations, Timothy A. Christ has violated Wis. Admin. Code § SPS 86.01(1) and (2) and 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 Timothy A. Christ is REPRIMANDED.
3. The Certified Residential Appraiser certificate of licensure and certification issued to Timothy A. Christ (number 1629-9) is LIMITED as follows:
  - a. Within 90 days from the date of this Order, Respondent shall successfully complete 56 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) (must be taken online);
    - ii. Basic Appraisal Principles (30 hours) (may be taken in person in a classroom setting or online);

- iii. Avoiding Mortgage Fraud for Appraisers (7 hours) (may be taken in person in a classroom setting or online); and
- iv. Workfile Documentation for Appraisers (4 hours) (may be taken in person in a classroom setting or online).

b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution(s) 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.

c. This limitation shall be removed from Respondent's certificate of licensure and certification after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$983.00.

5. Requests for pre-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 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

You may also submit this information online via DSPS' Monitoring Case Management System at <https://app.wi.gov/DSPSMonitoring>.

6. In the event Respondent violates any term of this Order, Respondent's certificate of licensure and certification (number 1629-9), 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 the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:   
A Member of the Board

2-12-19  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

TIMOTHY A. CHRIST,  
RESPONDENT.

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:  
:  
:

STIPULATION

0026034

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Division of Legal Services and Compliance Case No. 18 APP 029

Respondent Timothy A. Christ 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.

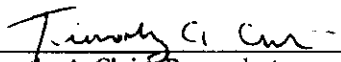
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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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Timothy A. Christ, Respondent  
1824 Josephine St.  
Waukesha, WI 53186  
Credential no. 1629-9

1-21-19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Sarah E. Norberg, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

1.20.19  
\_\_\_\_\_  
Date