

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

PAUL M. DE ANGELIS JR.,
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0007809

Division of Legal Services and Compliance Case No. 20 APP 052

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

Paul M. De Angelis Jr.
Muskego, WI 53150

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. Respondent Paul M. De Angelis Jr. (Birth Year 1971) is certified by the State of Wisconsin as a certified residential appraiser, having certificate of licensure and certification number 1105-9, first issued on February 3, 1998 and current through December 14, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Muskego, Wisconsin 53150.

2. On February 11, 2004, Respondent was ordered to complete remedial education (Final Decision and Order # LS0402112APP) in Case Number 03 APP 002 for violating Uniform Standards for Professional Appraisal Practice (USPAP) Standards Rule (SR) 1-1(c), SR 1-5(a), and SR 2-1(a).

3. On November 28, 2012, Respondent was reprimanded and ordered to complete remedial education (Final Decision and Order # 0002167) in Case Number 11 APP 043 for

violating USPAP Scope of Work Rule, SR 1-1(a), SR 1-3(a), SR 1-4, SR 1-4(b)(i) and (iii), SR 1-5(a), and SR 1-6(a).

4. On September 25, 2020, the Department received a complaint alleging that Respondent had performed an inadequate appraisal. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 20 APP 052 for investigation.

5. On July 25, 2019, Respondent performed an appraisal of a property located at 234 N. Broadway Unit 103, Milwaukee, WI 53202-5827.

6. Respondent's appraisal was reviewed by the DLSC and was found to be deficient in the following ways:

- a. In the Subject section of the report, Respondent failed to report the listing date of the subject property. [USPAP Scope of Work Rule-Problem Identification: assignment condition, SR 2-1(b)].
- b. In the Neighborhood Section of the report, Respondent failed to correctly delineate the subject property's neighborhood and present land use percentages. [SR 2-1(a)].
- c. In the Project Information Section of the report, Respondent failed to correctly report rental units in the subject's project and failed to correctly report the project was converted. [SR 1-1(c)].
- d. In the Sales Comparison, Respondent used inappropriate comparable sale(s) selection due to location and used physically dissimilar comparable sale(s)—gross living area. Respondent failed to include comparables of similar gross living area in his workfile and comments or analysis of why they were not used. [SR 1-1(a) and SR 1-4(a), Record Keeping Rule, Scope of Work Rule].
- e. Respondent failed to adjust comparables and failed to provide any analysis in his report as to why there were no adjustments. Respondent also failed to provide support for any of the adjustments made. [Scope of Work Rule, Record Keeping Rule, SR 1-1(a), SR 1-4(a)].

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, Respondent violated the Record Keeping Rule by failing to include in Respondent's workfile all other data, information, and documentation necessary to support Respondent's opinions and conclusions and to show compliance with USPAP.

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

4. By the conduct described in the Findings of Fact, Respondent violated SR 1-1(a), (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.

5. By the conduct described in the Findings of Fact, Respondent violated SR 1-4(a) by failing to analyze such comparable sales data as are 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, Respondent violated SR 2-1(a), (b) by:

- a. failing to clearly and accurately set forth the appraisal in a manner that will not be misleading.
- b. failing to include in Respondent's 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, Respondent has violated Wis. Admin. Code § SPS 86.01(1) and (2), and is therefore subject to discipline pursuant to Wis. Stat. § 458.26(3)(c) and (i).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Paul M. De Angelis Jr. is REPRIMANDED.

3. Respondent Paul M. De Angelis Jr.'s certified residential appraiser certificate of licensure and certification (no. 1105-9) is LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete forty-five (45) 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. 2020-2021 National USPAP course (15 hours) (must be taken online).

- ii. Advance Residential Applications and Case Studies (15 hours).
 - iii. Complex Properties: The Odd Side of Appraisal (7 hours).
 - iv. Scope of Work: Appraisals and Inspections (4 hours).
 - v. Appraiser Self Protection: Documentation and Record Keeping (4 hours).
- b. With the exception of the National USPAP Course which must be taken online, 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.
 - d. The education completed pursuant to this Order may not be used to satisfy any other continuing education requirements with the Board.
4. Within ninety (90) days from the date of this Order, Respondent Paul M. De Angelis Jr. shall pay the COSTS of this matter in the amount of \$1,520.
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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov/>

6. In the event Respondent violates any term of this Order, Respondent's certificate of licensure and certification (number 1105-9), 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: Carl N. Chrus
A Member of the Board

2/1/2022
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PAUL M. DE ANGELIS JR.,
RESPONDENT.

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STIPULATION

ORDER 0007803

Division of Legal Services and Compliance Case No. 20 APP 052

Respondent Paul M. De Angelis Jr. 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.



Paul M. De Angelis Jr., Respondent
Muskego, WI 53150
Credential No. 1105-9

12-28-21
Date



Alicia Kennedy, Prosecuting Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

1/10/2022
Date