

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TIMOTHY A. CHRIST,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0007998

Division of Legal Services and Compliance Case No. 20 APP 059

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

Timothy A. Christ
Wauwatosa, WI 53226

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. Timothy A. Christ (Respondent) (Birth Year 1968) is certified 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, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Wauwatosa, Wisconsin 53226.

2. On February 12, 2019, Respondent was reprimanded and ordered to complete remedial education (Final Decision and Order # 0006034) in Case Number 18 APP 029 for performing an appraisal that failed to comply with the Uniform Standards for Professional Appraisal Practice (USPAP) Ethics Rule, Scope of Work Rule, Record Keeping Rule, Standards

Rule (SR) 1-2(e)(i) and (iv), 2-1(a) and (b).¹ Respondent complied with the Order and was granted full licensure in July 2019.

3. On November 19, 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 059 for investigation.

4. On June 9, 2020, Respondent finalized an appraisal of a property located at 18930 Ashbourne Lane, Brookfield, Wisconsin 53045.

5. DLSC reviewed Respondent's appraisal and found it to be deficient in the following ways:²

- a. In the Neighborhood section, Respondent delineated a neighborhood that did not include the subject property [Standards Rule (SR) 1-1(b) and (c) and SR 2-1(a)] and erred in reporting the present land use was 100% single family homes because the delineated neighborhood includes approximately 14% commercial land use and Rolling Meadows Park. [SR 1-1(c) and 2-1(b)]
- b. In the Sales Comparison Approach section, Respondent reported a price range for comparable sales and listings in the subject's neighborhood instead of conducting a search based on relevant characteristics. Respondent's workfile failed to contain data to support his conclusions and opinions in this section. [SR 2-1(a) and Record Keeping Rule]
- c. In the Sales Comparison Approach section, Respondent transposed the addresses on Comparable #1 and Comparable #2 making the report difficult to understand. [SR 1-1(b) and (c) and 2-1(b)]
- d. In the Cost Approach section, Respondent reported that site values were derived from the extraction method but failed to provide a summary of the extraction method data. [Scope of Work Rule and Record Keeping Rule]

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).

¹ All USPAP references in this paragraph are to the rules as they existed in 2018 when the conduct occurred.

² All USPAP references in this paragraph are to the rules as they existed in 2020 when the conduct occurred.

2. By the conduct described in the Findings of Fact, Respondent violated the USPAP³ 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 USPAP 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(b) by committing a substantial error of omission or commission that significantly affects an appraisal.

5. By the conduct described in the Findings of Fact, Respondent violated SR 1-1(c) by 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, Respondent violated SR 2-1(a) by failing to clearly and accurately set forth the appraisal in a manner that was not misleading.

7. By the conduct described in the Findings of Fact, Respondent violated SR 2-1(b) by failing to include in Respondent's appraisal report sufficient information to enable the intended users of the appraisal to understand the report properly.

8. 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)(b), (c), and (i).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Timothy A. Christ is hereby **SUSPENDED** for a period of five (5) business days, beginning 10 calendar days from the date of the Order.

3. Respondent Timothy A. Christ's certified residential appraiser certificate of licensure and certification (no. 1629-9) 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. National USPAP course (15 hours) (must be taken online).

³ All USPAP references in this section are to the rules as they existed in 2020 when the conduct occurred.

- ii. Residential Report Writing and Case Studies (15 hours).
- iii. Support Adjustments: The Nexus Between the Cost, Sales, and Income Approaches (7 hours).
- iv. Appraiser Self Protection: Documentation and Record Keeping (4 hours).
- v. That's a Violation (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 Timothy A. Christ shall pay the COSTS of this matter in the amount of \$1,419.00.

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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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

6. In the event Respondent violates any term of this Order, Respondent's certificate of licensure and certification (no. 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: Carl N. Chur-
A Member of the Board

6/8/2022
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TIMOTHY A. CHRIST,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0007998

Division of Legal Services and Compliance Case No. 20 APP 059

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 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

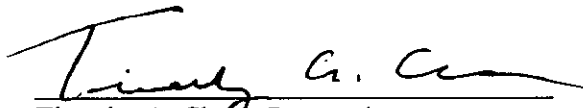
not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Timothy A. Christ, Respondent
Wauwatosa, WI 53226
Credential No. 1629-9

4-19-2022
Date



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

4/21/2022
Date