

## 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 THE CERTIFICATE OF :  
JOHN P. WOOD, : FINAL DECISION AND ORDER  
LICENSEE. : FOR REMEDIAL EDUCATION  
:

**ORDER 0008839**

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Division of Legal Services and Compliance Case No. 21 APP 041 and 22 APP 061

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

John P. Wood  
Fond Du Lac, WI 54935

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. Licensee John P. Wood (Birth Year 1975) is certified by the State of Wisconsin as a certified residential appraiser, having certificate of licensure and certification number 1803-9, first issued on August 10, 2010 and current through December 14, 2023. Licensee's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Fond Du Lac, Wisconsin 54935.

21 APP 041

2. On August 2, 2021, the Department received a complaint alleging that Licensee performed an inadequate appraisal. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 21 APP 041 for investigation.

3. On May 3, 2020, Licensee performed an appraisal of a property located at N9224 Mengel Hill Road, located in the Town of Taycheedah, Wisconsin.

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

- a. In the Improvement Section of the report, the licensee classified the condition of the property as C2, or "like new." However, in his report he refers to the materials as being in "average" condition, which is not in-line with a C2 rating. Additionally, He identified in his report that the quality of construction was Q2, or "high quality," but does not elaborate as to what physical characteristics led him to such a conclusion. [Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule (SR) 1-2(e)(i), SR 2-1(a) and (b)]
- b. In the Neighborhood Section of the report, Licensee incorrectly reported that the subject conforms to the neighborhood, even though it is a custom design home he described as a "unique architectural property with upgraded materials throughout," that it "has custom features that are not in typical homes," and that the subject has one bedroom utility, which is also not typical. [SR 2-1(a) and (b)]
- c. In the Sales Comparison Approach, licensee chose comparable properties that were inappropriately dissimilar to the subject property in square footage, bedroom, and bathroom utility. [SR 1-4(a)]
- d. Also in the Sales Comparison Approach, licensee failed to adjust the site value of one of the comparable properties to account for the significant differences in size between it and the subject property. [SR 1-1(c), SR 1-4(a)]
- e. Licensee failed to retain support in his workfile for adjustments made in the Sales Comparison Approach, including adjustments for differences in gross living area, below grade living area, quality of construction, bathroom utility, exterior amenities, fireplace, and garage parking. [USPAP Record Keeping Rule]
- f. In the Cost Approach Section, licensee was required by USPAP and as part of the scope of work found on form 1004 to include a summary of comparable land sales. Licensee did not do this. [USPAP Scope of Work Rule, SR 2-1(b), SR 2-2 (a)(x)(1) and (5)]
- g. Licensee reported in the Reconciliation Section of the report that both cost and sales data analysis were developed for the report, however he contradicted this statement by also writing that he did not use the cost approach because it was not required by the client. Although not expressly required, given that the subject has unique architectural features, and the lack of comparable sales data, licensee should have used the cost approach to support his opinion of value. [USPAP Scope of Work Rule, SR 1-1(a), SR 1-4(a), SR 2-1(a)]

22 APP 061

5. On November 11, 2022, the Department received a complaint alleging that Licensee performed an inadequate appraisal. DLSC subsequently opened Case Number 22 APP 061 for investigation.

6. On July 5, 2021, Licensee performed an appraisal of a property located at 670 5<sup>th</sup> Street, Village of Lomira, Wisconsin.

7. Licensee'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, licensee did not sufficiently investigate and analyze the sales contract, a for sale by owner transaction, to determine exposure to the market and whether the transaction was an arm's length sale. [USPAP Scope of Work Rule, SR 1-5(a), SR 2-1(b)]
- b. In the Site Section of the report, licensee identified the zoning classification as residential, R, but failed to specify whether the property was R-1, R-2, or R-3. Each subclassification has different requirements and limitations on uses. [SR 1-1(c), SR 2-2(a)(iv)]
- c. In the Sales Comparison Approach of the report, licensee used comparable sales in neighborhoods outside of where the subject property is located, without adjusting for their superior location. Further, there were other comparable properties available within the neighborhood. [SR 1-4(a)]
- d. Licensee's workfile lacked support for adjustments made in the sales comparison approach. [USPAP Record Keeping Rule]

8. Licensee agrees that failure to submit proof of successful completion of the ordered education as set forth below shall constitute conduct which reflects adversely on his fitness to practice as a real estate appraiser as set forth in Wis. Admin. Code § SPS 86.01(13).

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

CONCLUSIONS OF LAW

1. The 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 90 days of the date of this Order, Licensee shall, at his own expense, take and successfully complete the following remedial education courses:

- a. National USPAP course (15 hours) (must be taken online).
- b. Complex Properties: The Odd Side of Appraisal (7 hours).
- c. How to Support and Prove Your Adjustments (7 hours).
- d. Residential Appraisal Review and USPAP Compliance (7 hours).
- e. That's a Violation (4 hours).
- f. Appraiser Self Protection: Documentation and Record Keeping (4 hours).
- g. 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 courses satisfactory to the Board and for obtaining the required approval of the courses from the Board or its designee. Licensee must take and pass any exams offered for the courses.
- h. 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. Requests for course approval and proof of successful course completion 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) 266-2112; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

Submissions may also be made online at: <https://dspsmonitoring.wi.gov/>

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:   
 A Member of the Board

11/07/2023  
 Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE CERTIFICATE OF :

JOHN P. WOOD,  
LICENSEE.

STIPULATION

ORDER 0008839

Division of Legal Services and Compliance Case No. 21 APP 041 and 22 APP 061

Licensee John P. Wood and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

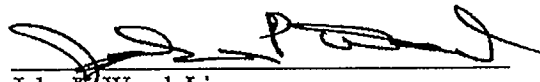
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Licensee consents to the resolution of this investigation by Stipulation.
2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the 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 Real Estate Appraisers Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order for Remedial Education 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.

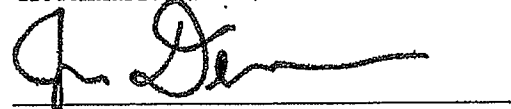
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee, for purposes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

7. Licensee is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order for Remedial Education 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 for Remedial Education.

  
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John P. Wood, Licensee  
Fond Du Lac, WI 54935  
Credential No. 1803-9

10/11/2023  
Date

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

10/17/2023  
Date