

## 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 :  
: FINAL DECISION AND ORDER  
LYNN M. NOLAN, : FOR REMEDIAL EDUCATION  
LICENSEE. : **ORDER 0008961**

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Division of Legal Services and Compliance Case No. 22 APP 007 and 23 APP 010

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

Lynn M. Nolan  
Shawano, WI 54166

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 Lynn M. Nolan (Birth Year 1963) is certified by the State of Wisconsin as a certified residential appraiser, having certificate of licensure and certification number 972-9, first issued on May 17, 1995 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 Shawano, Wisconsin 54166.

22 APP 007

2. On February 17, 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 22 APP 007 for investigation.

3. On February 6, 2021, Licensee inspected a property located at 101 Country Club Drive in Clintonville, Wisconsin. Licensee sent a revised appraisal report to the client on February 25, 2021.

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

- a. In the Cost Approach Section of the report, Licensee failed to value the subject's site using an appropriate appraisal method or technique and failed to summarize the information and reasoning used to develop her opinion of the site value. [Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule (SR) 1-4 (b), SR 2-2 (a) (x) (5)]
- b. In the Cost Approach Section of the report, Licensee's replacement cost new of the basement and garage, after depreciation, is much higher than the contributory value Licensee used in the Sales Comparison Approach for the basement and garage adjustments, which affected the credibility of the report. [SR 1-4 (b), SR 2-2 (a) (x) (5)]
- c. In the Cost Approach Section of the report, Licensee failed to report the contributory value of the site improvements, such as the concrete driveway and landscaping. [SR 1-4 (b), SR 2-2 (a) (x) (5)]
- d. In the Sales Comparison Approach Section of the report, Licensee used inappropriate comparable sales, which affected the credibility of the report. Licensee failed to include any closed sales from the Clintonville market area and used sales that were of newer built homes (0-2 yrs), when the subject property was 23 years old. [SR 1-4 (a), SR 2-2 (a) (x) (5)]
- e. In the Sales Comparison Approach Section of the report, Licensee made adjustments that lacked credibility and showed a lack of competency. For example, Sale #1 was contracted more than 12 months earlier, but was not adjusted for market conditions despite Licensee reporting an increasing market. Sale #1 was also not adjusted for seller concessions. Licensee also made unsupported adjustments for significant differences in lot size, significant age differences, basement differences, above grade living area, and basement finished area and basement bathroom utility. [USPAP Competency Rule, SR 1-4 (a), SR 2-2 (a) (x) (5)]

23 APP 010

5. On March 7, 2023, the Department received a complaint alleging that Licensee performed two inadequate appraisals. The DLSC subsequently opened Case Number 23 APP 010 for investigation.

6. On December 4, 2022, Licensee inspected a residential property located at N10622 County Road Y Clintonville, WI 54929 and an adjacent vacant lot. Licensee prepared separate appraisal reports for the two properties. Both appraisal reports were signed on December 17, 2022.

7. Licensee's appraisals were reviewed by the DLSC and were found to be deficient in the following ways:

- a. Licensee was hired by an individual, "S.R.," to conduct an appraisal of the subject properties, which were owned by S.R.'s mother. Complainant asked that the appraisal reports be sent to him, and not to his mother. In the appraisal reports, Licensee incorrectly listed the mother as the client and the only intended user. Licensee failed to list S.R. in the appraisal report as an intended user. Upon completion of the appraisals, the reports were mailed to the listed client, S.R.'s mother. [USPAP Competency Rule, SR 1-2 (a)]
- b. In the Subject Section of the vacant land appraisal report, Licensee did not disclose whether the land was rented or not, and did not conduct an income approach analysis. [SR 2-1 (b)]
- c. In the Cost Approach section of the residential appraisal report, Licensee failed to provide a summary of support for her opinion of the site's value. Additionally, Licensee failed to indicate what appraisal method or technique was used. Licensee stated that, "The land value was arrived from local realtors, appraiser's files, citing specific land sales and/or extraction from sales in the area." (sic) From this statement, it is not clear what method or technique was used by Licensee. Licensee also did not provide a summary of her analysis. [SR 1-4 (b)(i), SR 2-1 (a)(b), and SR 2-2 (a)(x) (1 & 5)]
- d. In the Sales Comparison section of the residential appraisal report, Licensee made many adjustments to the comparable properties for differences with the subject property. However, Licensee failed to include support for these adjustments in the workfile and there was no reference to the location of the support. Licensee also stated that she applied the sensitivity analysis, but there was no data or analysis found in her workfile. [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 her 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 her own expense, take and successfully complete the following courses:

- a. 2020 – 2021 National USPAP course (15 hours) (must be taken online).
- b. The Cost Approach (7 hours).
- c. Practical Applications of the Residential Sales Comparison Approach (4 hours).
- d. That's a Violation (4 hours).
- e. Appraiser Self Protection: Documentation and Record Keeping (4 hours).
- f. Spotlight on Confidentiality (2 hours).
- g. Spotlight on USPAP: Agreement for Services – Instructions for Use (2 hours).
- h. Non-Lending Appraisals: Expanding Your Appraisal Practice (Appraiser eLearning) (7 hours).
- i. 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.
- j. 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://dpsmonitoring.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

1/30/2024  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF THE CERTIFICATE OF :  
LYNN M. NOLAN, : STIPULATION  
LICENSEE. :  
:

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**ORDER 000896 1**

Division of Legal Services and Compliance Case No. 22 APP 007 and 23 APP 010

Licensee Lynn M. Nolan and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

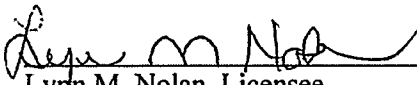
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Licensee consents to the resolution of this investigation by Stipulation.
2. Licensee understands that by signing this Stipulation, Licensee voluntarily and knowingly waives the 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.

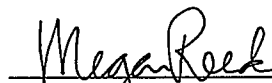
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Licensee, for purposes 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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Lynn M. Nolan, Licensee  
Shawano, WI 54166  
Credential No. 972-9

11/16/2023  
\_\_\_\_\_  
Date

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

11/16/2023  
\_\_\_\_\_  
Date