BEFORE THE BOARD OF REAL ESTATE APPRAISERS

STATE OF IDAHO

In the Matter of	)	Case No. REA-01-93-018
	)	
Robert W. Brownlee,	)	**CONSENT ORDER**
License No. LRA-119,	)	
	)	
Respondent.	)	ORIGINAL
	)	

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Comes now the Idaho State Board of Real Estate Appraisers (hereinafter "Board") and Robert W. Brownlee (hereinafter "Respondent"), and enter into this Consent Order in lieu of a formal administrative hearing pursuant to § 54-4106 of the Idaho Code.

I.

For the purposes of the entry of this Order, the following facts are hereby adopted by the Board:

1. That Respondent is a licensee of the Idaho State Board of Real Estate Appraisers and holds license number LRA-119 to appraise residential real estate in the State of Idaho. Respondent's license is and has been in full force and effect at all times pertinent herein. Respondent's license is subject to the provisions of title 54, chapter 41, Idaho Code, and the duly promulgated rules of the Board of Real Estate Appraisers.

2. That Respondent appraised the real property and improvements thereon located at 4355 Castlewood Drive, Meridian, Idaho (hereinafter "the property").

3. That Respondent estimated the market value of the property on August 10, 1993 at $122,500 (hereinafter "Appraisal No. 1"). Respondent thereafter issued two supplemental appraisal reports estimating the market value at $112,000 (hereinafter "Appraisal No. 2"); and $114,000 (hereinafter "Appraisal No. 3").

4. That Respondent made errors of commission and omission in Appraisal Nos. 1 and 2 that significantly affected the appraisal, in violation of USPAP 1-1(B).

5. That Respondent failed to use due diligence and due care in the appraisal of the property in Appraisal Nos. 1 and 2, rendering the appraisal misleading, in violation of USPAP 1-1(C).

6. Respondent failed to verify and reconcile the comparable data contained in the sales comparison analysis of Appraisal Nos. 2 and 3, in violation of USPAP 1-4(B)(iii).

7. That Respondent failed to set forth the information considered, the appraisal procedures followed and the reasoning that supports Respondent's difference in analyses, opinions and conclusions regarding the different values assigned to the property and comparables in Appraisal Nos. 2 and 3 from Appraisal No. 1, in violation of USPAP 2-2(h).

8. Respondent failed to set forth the date of the report of Appraisal Nos. 2 and 3, in violation of USPAP 2-2(E).

II.

I, Robert W. Brownlee, by affixing my signature hereto, acknowledge that:

1. I have read and understand the allegations pending before the Board, as stated above in section I. I further understand that these allegations constitute cause for disciplinary action upon my license to appraise residential real estate in the State of Idaho.

2. I understand that I have the right to a full and complete hearing and all rights accorded by the Administrative Procedure Act of the State of Idaho and the laws and rules governing the practice of real estate appraising in the State of Idaho. I hereby freely and voluntarily waive these rights in order to enter into this stipulation as a resolution of the pending allegations against me.

3. I understand that in signing this consent order I am enabling the Board to impose disciplinary action upon my license without further process.

III.

1. Based upon the foregoing stipulation, it is agreed that the Board may issue a decision and Order upon this stipulation whereby residential real estate appraisal license number LRA-119, issued to Respondent Robert W. Brownlee, is hereby placed on probation for a period of one (1) year commencing on the effective date of this Consent Order, subject to the following conditions:

A. Respondent shall obtain six (6) classroom hours of continuing education instruction in residential real estate appraising, in addition to the fifteen (15) continuing education hours annually required by the Board, within ninety (90) days of the effective date of this Consent Order; and

B. Respondent shall obey all federal, state, and local laws, and all rules governing the practice of appraising real estate in the State of Idaho.

2. If, in the discretion of the Idaho State Board of Real Estate Appraisers, Respondent appears to have violated or breached any terms or conditions of this Consent Order, the Idaho State Board of Real Estate Appraisers reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Idaho occurring before the effective date of this Consent Order.

3. Any action initiated by the Board based upon alleged violations of this Consent Order shall comply with the Administrative Procedure Act, title 67, chapter 9, Idaho Code, the Idaho State Real Estate Appraisers Act and the rules of the Board.

I have read the above stipulation fully and understand that by its terms I will be waiving certain rights accorded me under Idaho law. I also understand that by its terms the Idaho State Board of Real Estate Appraisers will issue an Order on this stipulation whereby my license to appraise residential real estate will be placed

upon probation, subject to the above delineated terms and conditions. I agree to the above stipulation for settlement.

DATED this 15th day of April, 1994.

Robert W. Brownlee
Respondent

I concur in this stipulation and order.

DATED this 18th day of April, 1994.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By
Nicole S. McKay
Deputy Attorney General

Pursuant to Idaho Code § 67-5240 the foregoing is adopted as the decision of the Board of Real Estate Appraisers in this matter and shall be effective on the 18th day of April, 1994, **IT IS SO ORDERED.**

IDAHO STATE BOARD OF REAL ESTATE APPRAISERS

By
Ed Meuhlback
Vice Chairman