

REVOCATIONS/PERMANENT SURRENDERS

ROBERT NITE, an Ohio Licensed Residential Real Estate Appraiser from Brook Park, Ohio was found in violation of the following with respect to an appraisal report: **1.** He failed to cooperate with the Ohio Division of Real Estate & Professional Licensing's (hereinafter referred to as "the Division") investigation when he failed to provide the Division an experience log, as requested by the Division, to show his geographic competency in Canal Winchester, Ohio in compliance with the Competency Rule. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(8) as that section incorporates the Record Keeping Section of the Ethics Rule for 2008 Uniform Standards of Professional Appraisal Practice (hereinafter referred to as "USPAP") by operation of Ohio Revised Code Section 4763.13(A); **2.** In his appraisal report for the Subject property, he failed to select one or more sales of condominiums as comparable sales for the Sales Comparison Approach that were located in the same condominium project as the Subject property and sold within 12 months of the effective date of his appraisal report, or in the alternative, he failed to summarize reasons for excluding those sales from the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he failed to provide any reconciliation or summary of his reasons for concluding the Subject property's value was \$154,000 when he only completed the Sales Comparison Approach and the only sales comparable from the Subject property project, sales comparable #3, had an adjusted sale price of \$142,100. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he committed substantial errors of omission or commission that significantly affected the appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(b) by operation of Ohio Revised Code Section 4763.13(A); **5.** He completed a misleading appraisal report for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A).

In a second appraisal report, Mr. Nite was found in violation of the following: **1.** He failed to cooperate with the Division's investigation when he failed to make available when required by the Division a copy of data, information or documentation necessary to support his conclusions found in his appraisal report for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(8) and 4763.11(G)(14) as those sections incorporate the Record Keeping Section of the Ethics Rule for 2008 USPAP operation of Ohio Revised Code Section 4763.13(A); **2.** He failed to provide to the Division during the Division's investigation, or in the alternative he failed to maintain, a true copy of the appraisal report for the Subject property because the copy of the appraisal report he provided the Division contains a signed appraiser's certification, dated June 18, 2008 but the copy of the appraisal report the Complainant provided the Division contains a signed appraiser's certification page, dated April 29, 2008. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(8) and 4763.11(G)(14) as those sections incorporate the Record Keeping Section of the Ethics Rule for 2008 USPAP by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he reported Sales Comparable #1 had prior sales that occurred in June of 2007 for \$13,400 and in April of 2007 for \$20,000, but he failed to provide sufficient analysis or reconciliation of these prior sales for Sales Comparable #1 with its sale in August of 2007 for

\$115,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he reported Sales Comparable #3 had a prior sale that occurred in November of 2006 for \$16,000, but he failed to provide sufficient analysis or reconciliation of this prior sale for Sales Comparable #3 with its sale in July of 2007 for \$63,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for the Subject property, he failed to make a condition adjustment to Sales Comparable #2 for condition differences as compared to the Subject property, or in the alternative, he failed to summarize in his appraisal report his basis for concluding no adjustment was necessary for the condition differences. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **6.** In his appraisal report for the Subject property, he reported the Subject property had a prior sale that occurred in June of 2006 for \$56,000 but he failed to provide sufficient analysis or reconciliation of this prior sale of the Subject property with his value conclusion of \$67,000 as of April 15, 2008. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-5(b), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **7.** In his appraisal report for the Subject property, he failed to summarize his reasons for concluding the “As-is” Value of Site Improvements for the Subject property in the Cost Approach was \$20,000. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **8.** In his appraisal report for the Subject property, he failed to sufficiently summarize his reasons for concluding the Subject property’s effective age was “25” when the actual age of the Subject property as of his appraisal report was “89”. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **9.** In his appraisal report for the Subject property, he reported Sales Comparable #2’s “Design/Style” was “2 story/good” but he failed to adjust for “Design/Style” difference as compared to the Subject property, or in the alternative, he failed to summarize his reasons for concluding no adjustment was necessary for the “Design/Style” difference. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **10.** In his appraisal report for the Subject property, he reported “bedroom count adjustments were made under functional utility” but he failed to adjust for the bedroom count difference for Sales Comparable #1 as compared to the Subject property, or in the alternative, he failed to summarize his reasons for concluding no adjustment was necessary for the bedroom count difference. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a), 2008 USPAP Standards Rule 1-6(a), 2008 USPAP Standards Rule 2-1 and 2008 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **11.**

In his appraisal report for the Subject property, he failed to sufficiently summarize or define the Subject property's neighborhood boundaries on the map he referenced in his report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(a) and 2008 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A); **12.** In his appraisal report for the Subject property, he committed substantial errors of omission or commission that significantly affected the appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 1-1(b) and 2008 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A); **13.** He completed a misleading appraisal report for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5) and 4763.11(G)(6) as those sections incorporate 2008 USPAP Standards Rule 2-1 and the Conduct Section of the Ethics Rule for 2008 USPAP by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Robert Nite's Ohio Residential Real Estate Appraiser License was revoked.

SUSPENSIONS/FINES/ADDITIONAL EDUCATION & REPRIMANDS

TERRANCE ROBERTS, an Ohio Licensed Residential Real Estate Appraiser from Columbus, Ohio was found in violation of the following with respect to an appraisal report: **1.** In his appraisal report for the Subject property, he failed to select, as comparable sales in the Sales Comparison Approach, sales of homes that sold within 12 months of the effective date of his appraisal report and were located on the Subject property's street or were located in the same subdivision as the Subject property, or in the alternative, he failed to summarize his reasons for excluding those sales from the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a), 2004 USPAP Standards Rule 1-6(a), 2004 USPAP Standards Rule 2-1, 2004 USPAP Standards Rule 2-2(b)(ix) and the Conduct Section of the Ethics Rule for 2004 USPAP by operation of Ohio Revised Code Section 4763.13(A); **2.** In his appraisal report for the Subject property, he failed to explain his conclusions about the estimated reproduction cost-new of improvements in the Cost Approach and he failed to include documentation supporting his conclusions in his workfile. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a), 2004 USPAP Standards Rule 2-1, 2004 USPAP Standards Rule 2-2(b)(ix) and the Record Keeping Section of the Ethics Rule for 2004 USPAP by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he failed to accurately report the Single-family housing price information for the Subject property's neighborhood. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a) and 2004 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he failed to sufficiently summarize or define the neighborhood boundaries for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a) and 2004 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for the Subject property, he failed to adjust in the Sales Comparison Approach for the sales comparables' differences related to basement finish or "rooms below grade" as compared to the Subject property, or in the alternative, he failed to summarize his reasons for concluding no adjustment was necessary for this difference. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP

Standards Rule 1-1(a), 2004 USPAP Standards Rule 1-6(a), 2004 USPAP Standards Rule 2-1 and 2004 USPAP Standards Rule 2-2(b)(ix) by operation of Ohio Revised Code Section 4763.13(A); **6.** In his appraisal report for the Subject property, he failed to adjust in the Sales Comparison Approach for the sales comparables' differences related to "gross living area" as compared to the Subject property, or in the alternative, he failed to summarize his reasons for concluding no adjustment was necessary for this difference. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a), 2004 USPAP Standards Rule 1-6(a), 2004 USPAP Standards Rule 2-1 and 2004 USPAP Standards Rule 2-2(b)(ix) by operation of Ohio Revised Code Section 4763.13(A); **7.** In his appraisal report for the Subject property, he failed to adjust in the Sales Comparison Approach for the sales comparables' differences related to "fireplace(s), etc." as compared to the Subject property, or in the alternative, he failed to summarize his reasons for concluding no adjustment was necessary for this difference. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a), 2004 USPAP Standards Rule 1-6(a), 2004 USPAP Standards Rule 2-1 and 2004 USPAP Standards Rule 2-2(b)(ix) by operation of Ohio Revised Code Section 4763.13(A); **8.** In his appraisal report for the Subject property, he failed to adjust in the Sales Comparison Approach for Sales Comparables # 1's and # 2's differences related to "porch, patio, deck" as compared to the Subject property, or in the alternative, he failed to summarize his reasons for concluding no adjustment was necessary for this difference. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a), 2004 USPAP Standards Rule 1-6(a), 2004 USPAP Standards Rule 2-1 and 2004 USPAP Standards Rule 2-2(b)(ix) by operation of Ohio Revised Code Section 4763.13(A); **9.** In his appraisal report for the Subject property, he failed to report accurately the zoning classification for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(a) and 2004 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A); **10.** In his appraisal report for the Subject property, he committed substantial errors of omission or commission that significantly affected the appraisal report, or in the alternative, he rendered appraisal services in a negligent or careless manner by making a series of errors that affected the credibility of the appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A); **11.** He completed a misleading appraisal report for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2004 USPAP Standards Rule 2-1 and the Conduct Section of the Ethics Rule for 2004 USPAP by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Terrance Roberts was ordered to pay a five hundred dollar (\$500.00) civil penalty; complete fifteen (15) hours of additional education in a class related to USPAP, including passing the class exam; complete fifteen (15) hours of additional education in a class related to Residential Appraiser Site Valuation and Cost Approach, including passing the class exam and his Ohio Residential Real Estate Appraiser License was suspended thirty (30) days.

NED SEIBERT, an Ohio Licensed Residential Real Estate Appraiser from Brecksville, Ohio was found in violation of the following with respect to an appraisal report: **1.** In his appraisal report for the Subject property, he failed to correctly report the Subject property's address. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 1-1(b), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009

USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **2.** In his appraisal report for the Subject property, he failed to accurately report the Subject property's specific zoning classification. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rules 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he failed to consistently report the condition of the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he failed to report the Subject property's neighborhood boundaries in his "Map page". Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for the Subject property, he rendered appraisal services in a negligent or careless manner by making a series of errors that affected the credibility of the appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A).

In a second appraisal report, Mr. Seibert was found in violation of the following: **1.** He failed to maintain copies of all appraisal reports for the Subject property, or in the alternative, he failed to provide to the Division during the Division's investigation copies of all appraisal reports for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(8) or 4763.11(G)(14) as those sections incorporate the Record Keeping Section of the Ethics Rule for 2008-2009 USPAP by operation of Ohio Revised Code Sections 4763.13(A) and 4763.14; **2.** In his appraisal report for the Subject property, he failed to consistently report the effective date for his appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 1-1(b), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he failed to report the Subject property had a prior sale that occurred on December 13, 2006 for \$170,400 and he failed to reconcile this prior sale of the Subject property with his value conclusion of \$188,900 in October of 2008. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 1-5(b), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he failed to consistently report the condition of the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for the Subject property, he cited he consulted the Auditor's records for Sales Comparable #1, but he failed to report as cited in Auditor's records that Sales Comparable #1 had a shed, and consequently, he failed to correctly adjust for the shed difference as compared to the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **6.** In his appraisal report for the Subject property, he

cited he consulted the Auditor's records for Sales Comparable #4, but he failed to report as cited in Auditor's records that Sales Comparable #4 had a shed, and consequently, he failed to correctly adjust for the shed difference as compared to the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **7.** In his appraisal report for the Subject property, he cited he consulted the Auditor's records for Sales Comparable #3, but he failed to report as cited in Auditor's records that Sales Comparable #3 had a fireplace, and consequently, he failed to correctly adjust for the fireplace difference as compared to the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **8.** In his appraisal report for the Subject property, he reported Sales Comparable #4 was a colonial when his comp photo for Sales Comparable #4 and workfile documents indicate Sales Comparable #4 is a one story. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **9.** In his appraisal report for the Subject property, he cited he consulted the Auditor's records for all of his sales comparables, but he failed to report as cited in Auditor's records the basement finishes for one or more sales comparables, and consequently, he failed to correctly adjust for the basement finish difference for one or more sales comparables as compared to the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(a), 2008-2009 USPAP Standards Rule 2-1 or 2008-2009 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **10.** In his appraisal report for the Subject property, he rendered appraisal services in a negligent or careless manner by making a series of errors that affected the credibility of the appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Ned Seibert was ordered to pay a four hundred dollar (\$400.00) civil penalty; complete fifteen (15) hours of additional education in a class related to Residential Report Writing, including passing the class exam and his Ohio Residential Real Estate Appraiser License was suspended thirty (30) days.

ANGELA SMITH, an Ohio Certified Residential Real Estate Appraiser from Dayton, Ohio was found in violation of the following with respect to an appraisal report: **1.** In her appraisal report for the Subject property, she failed to summarize the electrical upgrades, the soundproofing upgrades or the dust recovery equipment installed in the Subject property's basement, and consequently, she failed to adjust her Sales Comparables for this difference, or in the alternative, she failed to summarize her reasons for concluding no adjustment was necessary for this difference. Accordingly, she violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **2.** In her appraisal report for the Subject property, she stated she consulted the Multiple Listing Service (hereinafter referred to as "MLS") for Sales Comparable #1, but she failed to report as cited in the MLS that Sales Comparable #1 had an in-ground pool, and consequently, she failed to adjust for the pool difference as compared to the Subject property. Accordingly, she violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or

4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rules 1-1(a), 2006 USPAP Standards 1-6(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **3.** In her appraisal report for the Subject property, she failed to accurately report the sale price range for sales comparables in the Subject property's neighborhood when she reported the sale price range was from \$115,900 to \$149,900, but the Sales Comparables she selected for the Sales Comparison Approach were from \$225,000 to \$232,500. Accordingly, she violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rules 1-1(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In her appraisal report for the Subject property, she failed to accurately report the Subject property's specific zoning classification. Accordingly, she violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rules 1-1(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **5.** In her appraisal report for the Subject property, she rendered appraisal services in a negligent or careless manner by making a series of errors that affected the credibility of the appraisal report. Accordingly, she violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Angela Smith was ordered to complete fifteen (15) hours of additional education in a class related to Residential Report Writing, including passing the class exam.

CRAIG SMITH, an Ohio Certified Residential Real Estate Appraiser from Dayton, Ohio was found in violation of the following with respect to an appraisal report: **1.** In his appraisal report for the Subject property, he failed to summarize the electrical upgrades, the soundproofing upgrades or the dust recovery equipment installed in the Subject property's basement, and consequently, he failed to adjust his Sales Comparables for this difference, or in the alternative, he failed to summarize his reasons for concluding no adjustment was necessary for this difference. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **2.** In his appraisal report for the Subject property, he stated he consulted the MLS for Sales Comparable #1, but he failed to report as cited in the MLS that Sales Comparable #1 had an in-ground pool, and consequently, he failed to adjust for the pool difference as compared to the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rules 1-1(a), 2006 USPAP Standards 1-6(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he failed to accurately report the sale price range for sales comparables in the Subject property's neighborhood when he reported the sale price range was from \$115,900 to \$149,900, but the Sales Comparables he selected for the Sales Comparison Approach were from \$225,000 to \$232,500. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rules 1-1(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he failed to accurately report the Subject property's specific zoning classification. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rules 1-1(a), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for

the Subject property, he rendered appraisal services in a negligent or careless manner by making a series of errors that affected the credibility of the appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Craig Smith was ordered to complete fifteen (15) hours of additional education in a class related to Residential Report Writing, including passing the class exam.

KEVIN SMITH, an Ohio Certified Residential Real Estate Appraiser from Twinsburg, Ohio was found in violation of the following with respect to an appraisal report: **1.** In his appraisal report for the Subject property, he reported the Subject property had an expired listing for \$119,900 as of November of 2006, but he failed to report his reconciliation of this expired listing with his value conclusion for the Subject property of \$140,000 as of December 13, 2006. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(b), 2006 USPAP Standards Rule 2-1 or the Conduct Section of the Ethics Rule for 2006 USPAP by operation of Ohio Revised Code Section 4763.13(A); **2.** In his appraisal report for the Subject property, he reported the Subject property had new kitchen cabinets installed as of the effective date of his appraisal report when the Subject property did not have new kitchen cabinets installed. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(b), 2006 USPAP Standards Rule 2-1 or the Conduct Section of the Ethics Rule for 2006 USPAP by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he failed to report a prior sale of the Subject property that occurred on or about September 2, 2005 for \$76,667 and he failed to reconcile this prior sale of the Subject property with the Subject property's pending sales contract price of \$140,000 and his value conclusion of \$140,000 for the Subject property as of December 13, 2006. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-5(b), 2006 USPAP Standards Rule 2-1 or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he failed to report prior sales for Comparable Sale #1 in the Sales Comparison Approach that occurred on or about May 24, 2005 for \$50,000 and on or about May 24, 2005 for \$60,000 and he failed to reconcile these prior sales of Comparable Sale #1 with its sale on May 10, 2006 for \$140,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1, or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for the Subject property, he failed to report a prior sale for Comparable Sale #2 in the Sales Comparison Approach that occurred on or about July 27, 2005 for \$78,500 and he failed to reconcile this prior sale of Comparable Sale #2 with its sale on May 5, 2006 for \$139,500, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1, or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **6.** He completed a misleading appraisal report for the Subject property, or in the alternative, he rendered appraisal services in a negligent or careless manner by making a series of errors that affected the credibility of the appraisal report. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-

1(c), 2006 USPAP Standards Rule 2-1 or the Conduct Section of the Ethics Rule for 2006 USPAP by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Kevin Smith was ordered to pay a three hundred dollar (\$300.00) civil penalty; complete fifteen (15) hours of additional education in a class related to USPAP, including passing the class exam; complete fifteen (15) hours of additional education in a class related to Residential Report Writing, including passing the class exam and his Ohio Residential Real Estate Appraiser Certificate was suspended forty five (45) days.

MICHAEL STUDEBAKER, an Ohio Licensed Residential Real Estate Appraiser from Dayton, Ohio was found in violation of the following with respect to an appraisal report: **1.** In his appraisal report for the Subject property, he failed to report the Subject property had been listed for sale one or more times in 2007 at \$55,000 and he failed to report his reconciliation or analysis of this list price with the Subject property's pending contract price of \$65,000 as of September 25, 2007 or with his value conclusion of \$69,000 as of September 25, 2007. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-1(b), 2006 USPAP Standards Rule 1-5(a), 2006 USPAP Standards Rule 2-1, 2006 USPAP Standards Rule 2-2(b)(viii) and the Conduct Section of the Ethics Rule for 2006 USPAP by operation of Ohio Revised Code Section 4763.13(A); **2.** In his appraisal report for the Subject property, he failed to report Sales Comparable #1 had a prior sale in February of 2007 for \$16,500 and he failed to provide analysis or reconciliation of this prior sale for Sales Comparable #1 with its sale in June of 2007 for \$66,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1 and 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **3.** In his appraisal report for the Subject property, he reported Sales Comparable #1 had a transfer that occurred in June of 2006 but he failed to provide sufficient analysis or reconciliation of this prior transfer for Sales Comparable #1 with its sale in June of 2007 for \$66,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1 and 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **4.** In his appraisal report for the Subject property, he reported Sales Comparable #2 had a prior sale that occurred in February of 2007 for \$76,830, but he failed to provide sufficient analysis or reconciliation of this prior sale for Sales Comparable #2 with its sale in May of 2007 for \$67,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1 and 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for the Subject property, he failed to report Sales Comparable #3 had a prior sale in October of 2006 for \$11,025 and he failed to provide analysis or reconciliation of this prior sale for Sales Comparable #3 with its sale in January of 2007 for \$85,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1 and 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **6.** In his appraisal report for the Subject property, he failed to report Sales Comparable #3 had a prior sale in October of 2006 for \$12,500 and he failed to provide analysis or reconciliation of this prior sale for Sales Comparable #3 with its sale in January of 2007 for

\$85,000, which he used in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1 and 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **7.** In his appraisal report for the Subject property, he failed to sufficiently summarize his reasons for concluding the Subject property's effective age was "25" when the actual age of the Subject property as of his appraisal report was "81". Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 2-1 and 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **8.** In his appraisal report for the Subject property, he reported he consulted the "MLS" for Sales Comparable #2 but he failed to report, as published in the MLS and consequently he failed to adjust in the Sales Comparison Approach for Sales Comparable # 2's central air conditioning or basement finish, or in the alternative, he failed to summarize his reasons for omitting Sales Comparable # 2's central air conditioning or basement finish from the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1 and 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **9.** In his appraisal report for the Subject property, he failed to sufficiently summarize or define the Subject property's neighborhood boundaries. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a) and 2006 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A); **10.** In his appraisal report for the Subject property, he failed to correctly report the Subject property's specific zoning classification and zoning description. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a) and 2006 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A); **11.** In his appraisal report for the Subject property, he failed to report the site dimensions for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(a) and 2006 USPAP Standards Rule 2-1 by operation of Ohio Revised Code Section 4763.13(A); **12.** In his appraisal report for the Subject property, he rendered appraisal services in a negligent or careless manner by making a series of errors that affected the credibility of the appraisal report, and he completed a misleading appraisal report for the Subject property. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and 4763.11(G)(7) as those sections incorporate 2006 USPAP Standards Rule 1-1(c), 2006 USPAP Standards Rule 2-1 and the Conduct Section of the Ethics Rule for 2006 USPAP by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Michael Studebaker was ordered to complete fifteen (15) hours of additional education in a class related to USPAP, including passing the class exam; and is ordered to complete 30 hours of additional education in a class related to Residential Sales Comparison & Income Approaches, including passing the class exam.