REVOCATIONS/SURRENDER

JAMES PETITTO, an Ohio Certified General Real Estate Appraiser from Medina, 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 one or more of the following: a horizontal crack was located in the basement wall for the Subject property's laundry room; what effect, if any, the horizontal crack had on the livability, soundness or structural integrity of the Subject property; he failed to specifically adjust the sales comparables in the Sales Comparison Approach for the Subject property's horizontal crack; or he failed to explain his reasons why the sales comparables received no adjustment for the Subject property's horizontal crack. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6), 4763.11(G)(7) or 4763.11(G)(8) as those sections incorporate 2010-2011 Uniform Standards of Professional Appraisal Practice (hereinafter referred to as "USPAP") Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 2-1(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(viii) or the Conduct Section of the Ethics Rule for 2010-2011 USPAP by operation of Ohio Revised Code Section 4763.13(A); **2.** He failed to maintain, or in the alternative, during the investigation by the Ohio Division of Real Estate and Professional Licensing (hereinafter referred to as the "Division"), he failed to provide the Division a copy of data, information or documentation necessary to support his conclusions found in the Sales Comparison Approach or the Income Approach. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5) or 4763.11(G)(8) as those sections incorporate the Record Keeping Section of the Ethics Rule for 2010-2011 USPAP by operation of Ohio Revised Code Section 4763.13(A) or he violated Ohio Revised Code Section 4763.11(G)(14) by operation of Ohio Revised Code Section 4763.14; **3.** In his appraisal report for the Subject property, he failed to summarize the information analyzed, the appraisal methods and techniques employed and/or the reasoning that supported his conclusions related to the estimated monthly market rent and/or the gross rent multiplier in the Income Approach. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(viii) or the Conduct Section of the Ethics Rule for 2010-2011 USPAP 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 owner of public record as of the effective date of his appraisal report. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 2-1(a) or 2010-2011 USPAP Standards Rule 2-1(b) by operation of Ohio Revised Code Section 4763.13(A); **5.** In his appraisal report for the Subject property, he failed to consistently report the number of bedrooms for the Subject property. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 2-1(a), 2010-2011 USPAP Standards Rule 2-1(b) or 2010-2011 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 completed an appraisal report for the Subject property in a grossly negligent manner, or in the alternative, he rendered appraisal services in a careless or negligent manner, such as making a series of errors in the appraisal report that in the aggregate affects the credibility of the appraisal results. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate the Conduct Section of the Ethics Rule for 2010-2011 USPAP or 2010-2011 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, James Petitto surrendered of his Ohio General Real Estate Appraiser Certificate to the Division.

SUSPENSIONS/FINES/ADDITIONAL EDUCATION & REPRIMANDS

BRUCE BAILEY, an Ohio Certified General Real Estate Appraiser from St. Clairsville, 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 information analyzed, the appraisal methods or techniques employed and/or the reasoning that supported his rent per square foot conclusion in the Income Approach. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 summarize the information analyzed, the appraisal methods or techniques employed and/or the reasoning that supported his "cap rate" conclusion in the Income Approach. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 summarize his reasons for not including any analysis of the vacancy rate or expenses for the Subject property or the rental comparables, or in the alternative, he failed to summarize his reasons for using gross annual income ("GAI") instead of net operating income, effective gross income or equity cash flow. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 summarize his reasons for omitting a fully or complete Cost Approach from his report. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(b), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 identified the Subject property's market area was Cambridge, Ohio but he failed to select vacant land sales from Cambridge, Ohio or in the alternative, he failed to summarize his reasons for selecting vacant land sales from areas other than Cambridge, Ohio. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 identified the Subject property's market area was Cambridge, Ohio but he failed to select in the Sales Comparison Approach comparable sales from Cambridge, Ohio or in the alternative, he failed to summarize his reasons for selecting comparable sales from areas other than Cambridge, Ohio. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 reported Sales Comparable #3 was in average condition like the Subject property but he incorrectly made a condition adjustment to Sales Comparable #3, or in the alternative, he failed to explain his reasons for making a condition adjustment to Sales Comparable #3. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a),

2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 make a time adjustment to one or more sales comparables in the Sales Comparison Approach, or in the alternative, he failed to explain his reasons why no time adjustment was necessary. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 include analysis or discussion related to real estate activity for the medical industry (similar type of property as compared to the subject) in the Subject property's market area or extended market area. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-3(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 failed to correctly report a portion of the Subject property's site was located in a flood zone. Accordingly, he violated Ohio Revised Code Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(a), 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-2(b)(vii) or 2010-2011 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 committed substantial errors of omission or commission that significantly affected the credibility of 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 Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(b) or 2010-2011 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Bruce Bailey was ordered to complete thirty (30) hours of additional education in a class related to General Appraiser Report Writing and Case Studies, including passing the class exam.

PAUL CARR, an Ohio Certified Residential Real Estate Appraiser from Powell, Ohio was found in violation of the following with respect to an appraisal report: **1.**In his report #2 for the subject property, he failed to disclose report #2 was a revision of report #1. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and/or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 2-1(a) and/or 2010-2011 USPAP Standards Rule 2-1(b) by operation of Ohio Revised Code Section 4763.13(A); **2.** In his report #2 for the subject property, he did one or more of the following: he failed to report the subject property was recently under contract for sale at $178,625; he failed to report what caused the subject property's contract price to increase from $178,625 to $183,335; and/or he failed to sufficiently summarize, explain or reconcile the reasons his value conclusion increased from $179,000 as of June 21, 2011 in report #1 to $184,000 as of June 21, 2011 in report #2. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and/or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-1(c), 2010-2011 USPAP Standards Rule 1-5(a), 2010-2011 USPAP Standards Rule 2-1(a), 2010-2011 USPAP Standards Rule 2-1(b) and/or 2010-2011 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A); **3.** In his report #1 and/or in his report #2 for the subject property, he failed to clearly and conspicuously state a hypothetical condition, that his value conclusion was based upon, all improvements for the subject property were complete as of June 21, 2011 and he failed to state that the use of this hypothetical condition may affect

the assignment results, or in the alternative, he failed to adjust the sales comparables in the Sales Comparison Approach for the subject property's lack of sod and/or the installation of built-in kitchen appliances or he failed to explain why no adjustment was necessary for these items in the Sales Comparison Approach. Accordingly, he violated Ohio Revised Code Sections 4763.11(G)(5), 4763.11(G)(6) and/or 4763.11(G)(7) as those sections incorporate 2010-2011 USPAP Standards Rule 1-1(b), 2010-2011 USPAP Standards Rule 1-1(c), 2010-2011 USPAP Standards Rule 1-6(a), 2010-2011 USPAP Standards Rule 2-1(a), 2010-2011 USPAP Standards Rule 2-1(b), 2010-2011 USPAP Standards Rule 2-1(c) and/or 2010-2011 USPAP Standards Rule 2-2(b)(x) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Paul Carr was ordered to pay a civil penalty of three hundred dollars ($300.00); complete fifteen (15) hours of additional education in a class related to Uniform Standards of Professional Appraisal Practice (USPAP), including passing the class exam; and complete fifteen (15) hours of additional education in a class related to Residential Report Writing, including passing the class exam.

MICHAEL FLESHER, an Ohio Certified Residential Real Estate Appraiser from Canton, 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 dates and the offering prices the Subject property had been offered for sale in the twelve months prior to the effective date of 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 2006 USPAP Standards Rule 1-1(a), 2006 USPAP Standards Rule 1-1(b), 2006 USPAP Standards Rule 2-1(a), 2006 USPAP Standards Rule 2-1(b) 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 failed to report the Subject property had a prior transfer that occurred in June of 2005 and he failed to report his analysis or reconciliation of this prior transfer of the Subject property with his value conclusion of $58,000 in December of 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(a), 2006 USPAP Standards Rule 2-1(b) 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 report Sales Comparable #3 had a sale that occurred on August 24, 2006 for $13,000 and he failed to report his analysis or reconciliation of this sale for Sales Comparable #3 with its sale on August 24, 2006 for $65,000, 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 1-1(b), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1(a), 2006 USPAP Standards Rule 2-1(b) 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 in the Sales Comparison Approach and subsequently adjust for improvements, as found in the Multiple Listing Service, for Sales Comparable #2, or in the alternative, he failed to summarize his reasons why no adjustments were necessary for these improvements. 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 1-1(b), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1(a), 2006 USPAP Standards Rule 2-1(b) 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 the extent of distressed sales in the Subject property's neighborhood and what effect, if any, those distressed sales had on the market for the Subject's property neighborhood. 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 1-1(b), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1(a), 2006 USPAP Standards Rule 2-1(b) or 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 adjust,

as compared to the Subject property, one or more sales comparables in the Sales Comparison Approach for gross living area differences, or in the alternative, he failed to summarize his reasons why no gross living area adjustments were necessary. 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 1-1(b), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1(a), 2006 USPAP Standards Rule 2-1(b) or 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 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).

In a second appraisal, Michael Flesher 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 Sales Comparable #2 had a prior sale that occurred in November of 2005 for $82,000 and he failed to report his analysis or reconciliation of this prior sale for Sales Comparable #2 with its sale in April of 2006 for $99,900, 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(b) or 2006 USPAP Standards Rule 2-2(b)(viii) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, Michael Flesher was ordered to pay a civil penalty of three hundred dollars ($300.00); complete fifteen (15) hours of additional education in a class related to Uniform Standards of Professional Appraisal Practice (USPAP), including passing the class exam; and complete fifteen (15) hours of additional education in a class related to Residential Report Writing, including passing the class exam.

TIMOTHY GILCHRIST, an Ohio Licensed Residential Real Estate Appraiser from Gahanna, 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 in the Sales Comparison Approach that the Subject property was located adjacent to Interstate 71 and/or a ramp for Interstate 71, and he failed to adjust one or more of the sales comparables in the Sales Comparison Approach for this external influence, 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 Section 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 1-1(b), 2006 USPAP Standards Rule 1-6(a), 2006 USPAP Standards Rule 2-1(a), 2006 USPAP Standards Rule 2-1(b) 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 reported the condition for Sales Comparable #2 in the Sales Comparison Approach was good but he failed to adjust Sales Comparable #2 for its condition difference as compared to the Subject property, or in the alternative, he failed to summarize his reasons for concluding no condition adjustment was necessary. Accordingly, he violated Ohio Revised Code Section 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(a), 2006 USPAP Standards Rule 2-1(b) 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 reported the date of sale for Sales Comparable #1 was July of 2005 when County Auditor records indicate Sales Comparable #1 sold in July of 2006. Accordingly, he violated Ohio Revised Code Section 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(a), 2006 USPAP Standards Rule 2-1(b) 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 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, Timothy Gilchrist was ordered to pay a civil penalty of three hundred dollars ($300.00); complete fifteen (15) hours of additional education in a class related to Residential Report Writing, including passing the class exam; and he was issued a public reprimand.

DAVID WILBUR, an Ohio Licensed Residential Real Estate Appraiser from Ashland, Ohio was found in violation of the following with respect to an appraisal report: **1.** In his appraisal report for the Subject property, he inconsistently reported the Subject property's gross building area. Accordingly, he violated Ohio Revised Code Section 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(a) or 2008-2009 USPAP Standards Rule 2-1(b) 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 a prior sale that occurred in September of 2007 for $115,000 but he failed to provide sufficient analysis or reconciliation of this prior sale for the Subject property with his value conclusion of $152,000 as of November 16, 2009. Accordingly, he violated Ohio Revised Code Section 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 1-5(b), 2008-2009 USPAP Standards Rule 2-1(a), 2008-2009 USPAP Standards Rule 2-1(b) 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 counted the Subject property's basement twice in the Sales Comparison Approach: once in the gross building area and the other time in the basement description and basement finish section. Accordingly, he violated Ohio Revised Code Section 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 1-6(a), 2008-2009 USPAP Standards Rule 2-1(a), 2008-2009 USPAP Standards Rule 2-1(b) 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 correctly report the total room count, bedroom count and bathroom count for the Subject property's units, or in the alternative, he failed to explain what effect, if any, there was on the Subject property's market value since it had no bathrooms located above grade. Accordingly, he violated Ohio Revised Code Section 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(a), 2008-2009 USPAP Standards Rule 2-1(b) 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 failed to adjust one or more sales comparables in the Sales Comparison Approach for differences in basement and basement finish as compared to the Subject property, or in the alternative, he failed to summarize his reasons why no adjustment was necessary for differences related to basement and basement finish. Accordingly, he violated Ohio Revised Code Section 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 1-6(a), 2008-2009 USPAP Standards Rule 2-1(a), 2008-2009 USPAP Standards Rule 2-1(b) 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 made inconsistent adjustments to Sales Comparable #2 for its rural location when he made a negative $10,000 Location adjustment to Sales Comparable #2's (rural location) but yet made a positive $2,500 Site adjustment for its rural location, or in the alternative, he failed to summarize or explain his reasons for making a positive $2,500 Site adjustment despite the fact Sales Comparable #2's site was larger than the Subject property's site. Accordingly, he violated Ohio Revised Code Section 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 1-

6(a), 2008-2009 USPAP Standards Rule 2-1(a), 2008-2009 USPAP Standards Rule 2-1(b) 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 failed to summarize or explain his reasons why he made a gross building area adjustment for Sales Comparable #2 (difference of 44 square feet between Sales Comparable #2 and the Subject property), but he did not make a gross building area adjustment for Sales Comparable #4 (difference of 77 square feet between Sales Comparable #4 and the Subject property). Accordingly, he violated Ohio Revised Code Section 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 1-6(a), 2008-2009 USPAP Standards Rule 2-1(a), 2008-2009 USPAP Standards Rule 2-1(b) 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 failed to make a gross building area adjustment to Sales Comparable #2 that reflects market reaction, or in the alternative, he failed to summarize or explain his reasons why he made a gross building area adjustment of $100 per square foot to Sales Comparable #2. Accordingly, he violated Ohio Revised Code Section 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 1-6(a), 2008-2009 USPAP Standards Rule 2-1(a), 2008-2009 USPAP Standards Rule 2-1(b) 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 stated he had access to the Multiple Listing Service (hereinafter referred to as the "MLS") but he failed to incorporate into his report information available from the MLS relating to Sales Comparable #1, #4 or #5. Accordingly, he violated Ohio Revised Code Section 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(a) or 2008-2009 USPAP Standards Rule 2-1(b) by operation of Ohio Revised Code Section 4763.13(A); **10.** In his appraisal report for the Subject property, he failed to make consistent bathroom adjustments to the sales comparables as compared to the Subject property, or in the alternative, he failed to summarize or explain his reasons why Sales Comparables #4 and #5 received a bathroom adjustment but Sales Comparables #1, #2 and #3 did not receive a bathroom adjustment. Accordingly, he violated Ohio Revised Code Section 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 1-6(a), 2008-2009 USPAP Standards Rule 2-1(a), 2008-2009 USPAP Standards Rule 2-1(b) or 2008-2009 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 committed substantial errors of omission or commission that significantly affected the credibility of 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 Section 4763.11(G)(5), 4763.11(G)(6) or 4763.11(G)(7) as those sections incorporate 2008-2009 USPAP Standards Rule 1-1(b) or 2008-2009 USPAP Standards Rule 1-1(c) by operation of Ohio Revised Code Section 4763.13(A).

For all these violations, David Wilbur was ordered to pay a civil penalty of three hundred dollars ($300.00); complete fifteen (15) hours of additional education in a class related to Uniform Standards of Professional Appraisal Practice (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 License was suspended five (5) days.