

2. Curt Maddox is a natural person and is licensed by the MREAC as a state certified residential real estate appraiser, License No. 2009027693. The MREAC issued Maddox's license on September 8, 2009 pursuant to an Order which placed Maddox's license on probation for a period of two years subject to terms and conditions. Maddox's license was current and valid at all relevant times herein.

3. The Order issuing Maddox's license subject to two years probation became effective on September 8, 2009. Maddox was required to comply with the terms and conditions of the probationary period outlined in the Order.

4. Paragraph E of the Order states, in pertinent part:

During the probationary period, Maddox shall timely renew his certification granted hereby and shall timely pay all fees required for certification and comply with all other Commission requirements necessary to maintain said license in a current and active state.

5. Paragraph J of the Order states, in pertinent part:

Maddox shall comply with all provisions of §§ 339.500 through 339.549, RSMo; all federal and state drug laws, rules and regulations; and all federal and state criminal laws. "State" here includes the state of Missouri, all other states and territories of the United States, and the ordinances of political subdivisions of any state or territory. Maddox shall immediately report any violation of this provision to the Commission in writing. Maddox shall also immediately report any allegation that he has violated this provision to the Commission in writing. Examples of allegations of such a violation include, but are not limited to, any arrest, summons, inquiry by any law enforcement official into these topics, or inquiry into these topics by a health oversight agency. Maddox shall sign releases or other documents authorizing

and requesting the holder of any closed record related to this paragraph to release such records to the Commission.

6. On or about June 1, 2010, Maddox submitted an application to renew his certification as a state-certified residential real estate appraiser.

7. On the application, Maddox marked the "Yes" box under question 1 of the renewal application which asked whether Maddox had completed the mandatory number of hours of continued education required to renew his certification.

8. Maddox completed twenty-one (21) of the required continuing education hours after June 30, 2010, on August 28 and 31, 2010 in violation of regulation 20 CSR 2245-8.010.

9. On or about July 27, 2010, the Commission sent Maddox a letter requesting proof of his continuing education hours by September 1, 2010. Maddox was unable to produce the majority of his certificates representing continuing education course completion for the period of July 1, 2008 through June 30, 2010. On August 31, 2010, Maddox sent the Commission a letter which stated:

I have had to take additional CE courses due to misplacing my certificates over the past two years for classes I thought I had already taken. I took some online courses from a mailer I got but I could not find the vendors website [nor] could I recall the vendor['s] name. For this reason, I recently took courses after the deadline to fulfill my obligation for continuing education. The three courses I took should have sent you the completion certifications and I have included my USPAP update certificate with this memo to comply with my obligation as an appraiser for the state of Missouri. Hopefully

this will not affect my probation that I am currently under and I can continue to practice under my current license. If I need to provide anything else please let me know and I will gladly add anything you may need.

10. On or about June 20, 2011, the MREAC sent notice by regular mail and certified mail to Maddox notifying him of the probation violation complaint and of the probation violation hearing in this matter set for August 10, 2011 at 11:00 a.m. at the Missouri Council of School Administrators Building, 3550 Amazonas Drive, Jefferson City, Missouri. The green card from the certified mail copy was signed for by Martin and returned to the MREAC.

Conclusions of Law

11. The MREAC has jurisdiction in this proceeding, pursuant to the September 8, 2009 Disciplinary Order to determine whether Maddox has violated the terms and conditions of the September 8, 2009 Disciplinary Order.

12. The MREAC retained jurisdiction over this matter pursuant to page 7 of the Order which states in pertinent part:

This Order does not bind the Commission or restrict the remedies available to it concerning any violation by Respondent of the terms and conditions of this Order, Chapter 339, RSMo (as amended), or the regulations promulgated thereunder.

13. The MREAC also has jurisdiction pursuant to § 324.042, RSMo to determine whether Maddox has violated the terms and conditions of the September 8, 2009 Disciplinary Order. Section 324.042 states, in pertinent part:

Any board, commission, or committee within the division of professional registration may impose additional discipline

when it finds after hearing that a licensee, registrant, or permittee has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The board, commission, or committee may impose as additional discipline, any discipline it would be authorized to impose in an initial disciplinary hearing.

14. Section 339.532.2, RSMo Cum. Supp 2010, states, in pertinent part:

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any state-certified real estate appraiser, state-licensed real estate appraiser, or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

...

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

...

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

...

(19) Making any material misstatement, misrepresentation or omission with regard to any

application for licensure or certification, or for license or certification renewal. As used in this section, “material” means important information about which the commission should be informed and which may influence a licensing decision.

15. Section 339.519.2, RSMo Cum. Supp 2010, states, in pertinent part:

The commission shall require every state-certified or state-licensed real estate appraiser to provide satisfactory evidence of the completion of the required continuing education hours as promulgated by the appraiser qualifications board.

16. Section 339.525.1, RSMo Cum. Supp 2010, states, in pertinent part:

To obtain a renewal certificate or license, a state certified real estate appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty days nor later than thirty days prior to the expiration date of the certificate or license held. With the application for renewal, the state certified real estate appraiser or state licensed real estate appraiser shall present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530.

17. Section 339.530, RSMo Cum. Supp 2010, states, in pertinent part:

1. As a prerequisite of renewal of certification or licensure, a state-certified real estate appraiser or state-licensed real estate appraiser shall present evidence satisfactory to the commission of having met the continuing education requirements as provided in this section. The basic continuing education requirements for renewal of certification or licensure shall be the completion by the state-certified or state-licensed real estate appraiser, during the immediately preceding term of certification or licensure, of continuing education as prescribed by the appraiser qualifications board and approved by the commission.

18. Regulation 20 CSR 2245-8.040(1) states, in pertinent part:

(1) Licensees shall maintain evidence of course participation or course completion certifications for the period set for appraisal file retention. Such evidence or certificate shall be submitted upon request by the Commission.

19. Regulation 20 CSR 2245-8.010(1) states, in pertinent part:

(1) Each licensee who holds a certificate or license shall complete, during the two (2)- year license period prior to renewal, as a condition precedent to certification or license renewal, the required number of hours of real estate appraisal instruction approved for continuing education credit by the Missouri Real Estate Appraisers Commission as specified in section (2) of this rule. Licensees shall maintain their evidence of course participation or course completion certificates for the period set for appraisal file retention. Such evidence shall be submitted upon request by the Commission.

20. When Maddox marked “Yes” on question 1 of his application to renew his certification as a residential real estate appraiser, he violated paragraph E of the Order for which the Commission has cause to take additional discipline of his certification pursuant to § 339.532.2(1), (2) and (19), RSMo Cum. Supp 2010 and page 7 of the Order.

21. When Maddox was unable to produce certificates certifying continuing education course completion, Maddox violated 20 CSR 2245-8.010 and 20 CSR 2245-8.040, regulations for the administration and enforcement of sections 339.500 to 339.549. Maddox’s failure also violated §§ 339.519, 339.525 and 339.530, RSMo Cum. Supp 2009. Therefore, there is cause to take additional discipline of Maddox’s certification pursuant to § 339.532.2(10), RSMo Cum. Supp 2010, paragraph J of the Order and page 7 of the Order.

22. Cause exists to take additional discipline of Maddox's certification pursuant to paragraph J of the Order and page 7 of the Order for violations of §§ 339.532.2(10), and 339.532.2(1), (2) and (19), RSMo Cum. Supp. 2010.

23. The September 8, 2009 Disciplinary Order and § 324.042 allow the MREAC to take such disciplinary action that the MREAC deems appropriate for failure to comply with the terms of the September 8, 2009 Disciplinary Order.

Decision and Order

It is the decision of the MREAC that Maddox has violated the terms of the September 8, 2009 Disciplinary Order, and that his license is, therefore, subject to further disciplinary action.

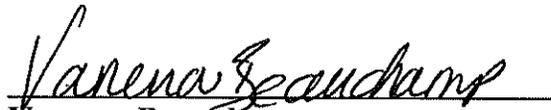
The MREAC orders that Curt Maddox's state certification for residential real estate appraiser, number 2009027693, be and is hereby **REVOKED**.

Respondent shall immediately return all indicia of licensure to the Board.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 339, 610, and 324, RSMo.

SO ORDERED this 17th day of August, 2011.

**MISSOURI REAL ESTATE APPRAISERS
COMMISSION**



Vanessa Beauchamp
Executive Director