

BEFORE THE MISSOURI
STATE REAL ESTATE APPRAISERS COMMISSION

MISSOURI REAL ESTATE APPRAISERS)	
COMMISSION,)	
)	
Petitioner,)	
)	
v.)	No. 11-1990 RA
)	
DEBRA MCGOWAN,)	
)	
Respondent.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DISCIPLINARY ORDER**

I.

Statement of the Case

On or about November 18, 2011, the Administrative Hearing Commission (AHC) entered its Default Decision, pursuant to § 621.100.2, RSMo Cum Supp 2011, in the case of *Missouri Real Estate Appraisers Commission v. Debra McGowan*, Case No. 11-1990 RA. On December 19, 2011, McGowan filed a Motion to Set Aside and Extension of Time to File Responsive Pleading at the AHC. The Missouri Real Estate Commission filed a Response to McGowan’s Motion on December 19, 2011 and McGowan filed a Reply on December 20, 2011. On December 22, 2011, the AHC entered its Order denying McGowan’s Motion to Set Aside because McGowan failed to meet the requirements to set aside contained in § 324.045.2, RSMo. The AHC certified the records of its proceedings and its Default Decision in *Missouri Real Estate Appraisers Commission v. Debra McGowan*, Case No. 11-1990 RA, to the Missouri Real Estate Appraiser Commission (the “MREAC”) on May 2, 2012. In its Default Decision, the Administrative Hearing Commission found that Respondent McGowan’s license as a state licensed real estate appraiser was subject to disciplinary

action by the MREAC pursuant to § 339.532.2(5), (6), (7), (8), (9), (10), and (14) RSMo 2011 Cum Supp.

The MREAC has received and reviewed the record of the proceedings before the Administrative Hearing Commission, including the complaint filed before the AHC on October 6, 2011, and the Default Decision. The Default Decision of the Administrative Hearing Commission, and the entire record certified to the MREAC, including the complaint, is hereby adopted and incorporated herein by reference.

Pursuant to notice and § 621.110 and § 339.532.3, RSMo, the MREAC held a hearing on August 7, 2012, at approximately 1:00 p.m. at the Missouri Council of School Administrators Building, 3530 Amazonas Drive, Jefferson City, Missouri, for the purpose of determining the appropriate disciplinary action against Respondent's license. The MREAC was represented by Assistant Attorney General Daniel Jacob. Respondent was not present for the hearing and was not represented by counsel. After being present and considering all of the evidence presented during the hearing, the MREAC issues the following Findings of Facts, Conclusions of Law and Order.

II.

Findings of Fact

1. Respondent Debra McGowan holds a license as a state licensed real estate appraiser from the MREAC (license # 2000175653). Respondent McGowan's license is current and active.
2. The MREAC hereby adopts and incorporates herein the Default Decision of the Administrative Hearing Commission and the record in *Missouri Real Estate Appraisers Commission v. Debra McGowan*, Case No. 11-1990 RA.

3. In its November 18, 2011, Default Decision, the Administrative Hearing Commission found the MREAC has grounds to discipline Respondent's license pursuant to § 339.532.2(5), (6), (7), (8), (9), (10), and (14) RSMo 2011 Cum Supp.

4. As set out the MREAC's complaint filed before the Administrative Hearing Commission on October 6, 2011 which was before the Administrative Hearing Commission in issuing its Default Decision, Respondent completed two appraisals, one at Wood Lake Court and one at Forest Avenue, in a manner that violated the Uniform Standards of Professional Appraisal Practice (USPAP) and which included significant and substantial errors of omission and/or commission in the appraisal reports. Respondent's completion of the appraisals in violation of USPAP as described in the complaint, constituted cause to discipline her license pursuant to § 339.532.2(5), (6), (7), (8), (9), (10), and (14), RSMo 2011 Cum Supp.

5. The MREAC set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion.

III.

CONCLUSIONS OF LAW

6. The MREAC has jurisdiction over this proceeding pursuant to § 621.110 and § 339.532.3, RSMo.

7. The MREAC expressly adopts and incorporates by reference the Default Decision of the Administrative Hearing Commission and the record in *Missouri Real Estate Appraisers Commission v. Debra McGowan*, Case No. 11-1990 RA, finding cause to discipline Respondent's license as a licensed real estate appraiser pursuant to § 339.532.2(5), (6), (7), (8), (9), (10), and (14), RSMo 2011 Cum Supp.

8. As a result of the foregoing, and as identified in the Default Decision of the Administrative Hearing Commission, Respondent's state license as a real estate appraiser is subject to disciplinary action by the MREAC, pursuant to § 339.532.2(5), (6), (7), (8), (9), (10), and (14), RSMo 2011 Cum Supp.

9. The MREAC has determined that this Order is necessary to ensure the protection of the public.

IV.

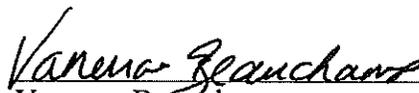
Order

10. Having fully considered all the evidence before the MREAC, and giving full weight to the Decision of the Administrative Hearing Commission, it is the **ORDER** of the MREAC, that Respondent McGowan's state license as a real estate appraiser is hereby **REVOKED**. Licensee shall return all indicia of licensure to the MREAC immediately.

11. The MREAC will maintain this Order as an open record of the MREAC as provided in Chapters 324, 339, and 610, RSMo, 2011 Cum Supp.

SO ORDERED, THIS 9th day of August, 2012.

**MISSOURI REAL ESTATE
APPRAISERS COMMISSION**



Vanessa Beauchamp,
Executive Director
Missouri Real Estate Appraisers Commission