

Pursuant to notice and § 621.110 and § 339.532.3, RSMo, the MREAC held a hearing on August 9, 2011, at approximately 10:00 a.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 certification. The MREAC was represented by Assistant Attorney General Craig Jacobs. Respondent was present for the hearing but 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 holds a certification as a state certified residential real estate appraiser from the MREAC (certification # 2005023302).
2. The MREAC hereby adopts and incorporates herein the findings of fact contained in the Decision of the Administrative Hearing Commission in *Missouri Real Estate Appraisers Commission v. Eric Hicks*, Case No. 09-1334 RA.
3. In its March 24, 2011, Decision, the Administrative Hearing Commission found the MREAC has grounds to discipline Respondent's certification pursuant to § 339.532.2(5), (6), (7), (8), (9), (10), and (14), RSMo 2010 Cum Supp.
4. 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

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

6. The MREAC expressly adopts and incorporates by reference the Conclusions of Law and the Decision of the Administrative Hearing Commission in *Missouri Real Estate Appraisers Commission v. Eric Hicks*, Case No. 09-1334 RA, finding cause to discipline Logue's certification as a residential real estate appraiser pursuant to § 339.532.2(5), (6), (7), (8), (9), (10), and (14), RSMo 2010 Cum Supp.

7. As a result of the foregoing, and as identified in the Decision of the Administrative Hearing Commission, Respondent's state certification as a residential 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 2010 Cum Supp.

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

IV.

Order

A. 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's state certification as a residential real estate appraiser is hereby **SUSPENDED** for a period of **six (6) months** from the effective date of this Order. The suspension shall immediately be followed by **PROBATION** for a term of **three (3) years**, subject to the following terms and conditions:

1. Hicks shall be entitled to engage in the practice of real estate appraising as a state certified residential real estate appraiser pursuant to § 339.500 to § 339.549, RSMo, as amended, provided Hicks adheres to all of the terms and conditions of this Order.
2. During the probationary period, Hicks shall not supervise any real estate appraisal, as defined by § 339.503(1), RSMo (as amended), of property located in the state of Missouri nor act in any manner as an appraisal supervisor.
3. During the probationary period, Hicks shall maintain a log of all appraisal assignments completed, including appraisal values. Hicks shall submit a true and accurate copy of his log to the MREAC every six (6) months after the effective date of this Order. Each log, except for the final log, shall be submitted within 15 days after the end of the respective six month period. Hicks shall submit the final log 30 days prior to the end of the probationary period. All logs shall comply with rule 20 CSR 2245-2.050.
4. During the probationary period, Hicks shall submit samples of his appraisals as requested by the MREAC for review.
5. During the probationary period, Hicks shall comply with all applicable provisions of Chapter 339, RSMo, as amended, all applicable MREAC regulations and all applicable federal and state laws. "State" includes the state of Missouri, all other states and territories of the United States, and the ordinances of their political subdivisions. Hicks shall be deemed in violation of this Order and the terms of his probation if he is adjudicated, found guilty of or pleads guilty or nolo contendere to, a criminal offense, whether or not sentence is imposed.
6. Hicks shall meet in person with the MREAC or its representative at any such time and place as required by the MREAC or its designee upon notification from the MREAC or its designee. Said meetings will be at the MREAC's discretion and may occur periodically during the probationary period.
7. Hicks shall immediately submit documents showing compliance with the requirements of this Order to the MREAC when requested by the MREAC or its designee.
8. If Hicks fails to comply with the terms of this order during the probationary period, in any respect, the MREAC may choose to conduct a hearing before it either during the probationary period, or as soon thereafter as a hearing can be held, to determine whether a violation occurred. In the event MREAC determines that Hicks has violated any term or condition of this Order, the MREAC may, in its discretion, vacate this Order and may impose additional discipline as deemed appropriate by the MREAC, including revocation of the certification, pursuant to § 324.042, RSMo. The MREAC has continuing jurisdiction to hold a hearing to determine if a violation of this Order has occurred.
9. Hicks shall keep the MREAC apprised of his current home and work addresses and telephone numbers. Hicks shall inform the MREAC in writing within ten (10) days of any change in this information.

10. During the probationary period, Hicks shall timely renew his certification, timely pay all fees required for licensure and comply with all other requirements necessary to maintain his certification current and active.
11. During the probationary period, Hicks shall accept and comply with unannounced visits from the MREAC's representatives to monitor compliance with the terms and conditions of this Order.
12. This Order does not bind the MREAC or restrict the remedies available to the MREAC for any violation of § 339.500 to § 339.549, RSMo, as amended, not specifically mentioned in this document.
13. Upon the expiration of the probationary period, Hicks's certification shall be fully restored if all other requirements of law have been satisfied provided, however, that in the event the MREAC determines that Hicks has violated any term or condition of this Order, the MREAC may, in its discretion, vacate and set aside the probation imposed herein and may impose any other lawful discipline the MREAC shall deem appropriate, including, revocation of said license. No order shall be entered by the MREAC pursuant to this paragraph without any required notice and opportunity for a hearing before the MREAC in accordance with Chapter 536, RSMo, as amended.
14. If the MREAC determines that Hicks has violated a term or condition of this Order, which violation would also be actionable in a proceeding before the Administrative Hearing Commission or the circuit court, the MREAC may elect to pursue any lawful remedies or procedures afforded it and is not bound by this Order in its determination of appropriate legal actions concerning that violation.
15. If, at any time during the probationary period, Hicks ceases to reside in the state of Missouri, or ceases to maintain his state residential real estate appraiser certification current or active under the provisions of Chapter 339, RSMo, as amended, or fails to keep MREAC advised of his current places of residence and business, the time of such absence, unlicensed or inactive status, or unknown whereabouts shall not be deemed or taken to satisfy any part of the probationary period.
16. Unless otherwise specified by the MREAC, all reports, documentation, evaluations, notices, or other materials required to be submitted to the MREAC shall be forwarded to: Missouri Real Estate Appraisers Commission, P.O. Box 1335, Jefferson City, Missouri 65102.
17. Any failure by Hicks to comply with any condition of discipline set forth herein constitutes a violation of this Order.

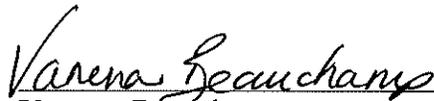
B. The terms of this Order are contractual, legally enforceable, and binding and not mere recitals. Except as otherwise contained herein, neither this Order nor any of its provisions

may be changed, waived, discharged, or terminated, except by an instrument in writing signed by the party against whom the enforcement of the change, waiver, discharge, or termination is sought.

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

SO ORDERED, THIS 11th day of August, 2011.

**MISSOURI REAL ESTATE
APPRAISERS COMMISSION**



Vanessa Beauchamp,
Executive Director
Missouri Real Estate Appraisers Commission