

BEFORE THE MISSOURI  
STATE REAL ESTATE APPRAISERS COMMISSION

|                                   |   |                |
|-----------------------------------|---|----------------|
| MISSOURI REAL ESTATE APPRAISERS ) |   |                |
| COMMISSION, )                     | ) |                |
|                                   | ) |                |
| Petitioner, )                     | ) |                |
|                                   | ) |                |
| v. )                              | ) | No. 10-0459 RA |
|                                   | ) |                |
| HOLLY WITKOWSKI )                 | ) |                |
|                                   | ) |                |
| Respondent. )                     | ) |                |

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

I.

**Statement of the Case**

On or about September 14, 2010, the Administrative Hearing Commission entered its Decision in the case of *Missouri Real Estate Appraisers Commission v. Holly Witkowski*, Case No. 10-0459 RA. The Administrative Hearing Commission certified the records of its proceedings and its Decision in *Missouri Real Estate Appraisers Commission v. Holly Witkowski*, Case No. 10-0459 RA, to the Missouri Real Estate Appraiser Commission (the "MREAC") on approximately October 14, 2010. In its Decision, the Administrative Hearing Commission found that Respondent Witkowski's state certification as a residential real estate appraiser is subject to disciplinary action by the MREAC pursuant to § 339.532.2 (5) and(10), RSMo 2009 Cum Supp.

The MREAC has received and reviewed the record of the proceedings before the Administrative Hearing Commission and the Decision. The Decision of the Administrative Hearing Commission 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 March 15, 2011, at approximately 1:25 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 holds a state certification for residential real estate appraiser from the MREAC (license # RA002594).
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. Holly Witkowski*, Case No. 10-0459 RA.
3. In its September 14, 2010, Decision, the Administrative Hearing Commission found the MREAC has grounds to discipline Respondent's license pursuant to § 339.532.2(5) and (10), RSMo 2009 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. Holly Witkowski*, Case No. 10-0459 RA, finding cause to discipline Witkowski's state certification as a residential real estate appraiser pursuant to § 339.532.2(5), and (10), RSMo 2009 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) and (10), RSMo 2009 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 **REVOKED** from the effective date of this Order. Upon receipt of this Order, Respondent shall immediately return all evidence of licensure to the MREAC.

B. 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 18<sup>th</sup> day of March, 2011.

**MISSOURI REAL ESTATE  
APPRAISERS COMMISSION**

  
Vanessa Beauchamp,

Executive Director

Missouri Real Estate Appraisers Commission