

BEFORE THE MISSOURI
STATE REAL ESTATE APPRAISERS COMMISSION

MISSOURI REAL ESTATE APPRAISERS)
COMMISSION,)

Petitioner,)

v.)

No. 09-0680 RA

JAMES C. NICHOLSON)

Respondent.)

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

I.

Statement of the Case

On or about December 14, 2009, the Administrative Hearing Commission entered its Decision in the case of *Missouri Real Estate Appraisers Commission v. James C. Nicholson*, Case No. 09-0680 RA. The Administrative Hearing Commission certified the records of its proceedings and its Decision in *Missouri Real Estate Appraisers Commission v. James C. Nicholson*, Case No. 09-0680 RA, to the Missouri Real Estate Appraiser Commission (the "MREAC") on approximately January 15, 2010. In its Decision, the Administrative Hearing Commission found that Respondent Nicholson's state license as a real estate appraiser is subject to disciplinary action by the MREAC pursuant to § 339.532.2 (2), (5), (10), and (13), RSMo 2000.

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 May 11, 2010, 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 Yamini Laks. 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 license for real estate appraiser from the MREAC (license # 2007001828).
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. James Nicholson*, Case No. 09-0680 RA.
3. In its December 14, 2009, Decision, the Administrative Hearing Commission found the MREAC has grounds to discipline Respondent's license pursuant to § 339.532.2(2), (5), (10), and (13), RSMo 2000.
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. James C. Nicholson*, Case No. 09-0680 RA, finding cause to discipline Mays' state license as a real estate appraiser pursuant to § 339.532.2(2), (5), (10), and (13), RSMo 2000.

7. As a result of the foregoing, and as identified in the 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(2), (5), (10), and (13), RSMo 2000.

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

IV.

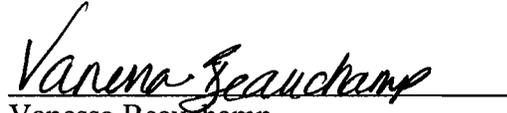
Order

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 license as a 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 27th day of May, 2010.

**MISSOURI REAL ESTATE
APPRAISERS COMMISSION**

A handwritten signature in cursive script, reading "Vanessa Beauchamp", is written over a horizontal line.

Vanessa Beauchamp,
Executive Director
Missouri Real Estate Appraisers Commission