

1. The MREAC is an agency of the state of Missouri created and established pursuant to § 339.507, RSMo, for the purpose of executing and enforcing the provisions of § 339.500 to § 339.549, RSMo (as amended).

2. On or about June 5, 2007, Travis Strayer (“Strayer”) submitted an application to the MREAC to be state-certified as a residential real estate appraiser.

3. In conjunction with his certification application, Strayer submitted an appraisal for property located at 8706 North Carson Avenue, Kansas City, Missouri, 64153, (the “Kansas City Report”).

4. Strayer failed to include sufficient information or analysis in the Kansas City report to support his value conclusions.

5. A review of the Kansas City report also revealed the following:

- Strayer failed to appropriately or adequately identify the characteristics of the subject properties. For example, Strayer incorrectly calculated the subject property’s gross living area by including the basement area as gross living area.
- Strayer used as “comparable” sales, properties that were different from, and not truly comparable to, the subject property appraised without making appropriate adjustments in his report or including an appropriate explanation or analysis.
- Strayer failed to appropriately analyze the personal property in the comparable sales. For example, comparable # 3 used in the report included substantial personal property that was not addressed in the report.
- As a result of the foregoing, Strayer did not include sufficient information in the Kansas City report to allow a reader/user of the appraisal to understand the report properly.
- As a result of each of the foregoing, Strayer failed to adequately describe the reasons supporting his analyses, opinions and value conclusions in the Kansas City report.
- As a result of the foregoing, Strayer failed to be aware of, understand and correctly employ the appropriate appraisal methods or techniques necessary to produce a credible appraisal.
- As a result of the foregoing, Strayer concluded a value for the subject property in the Kansas City report that was inflated and/or potentially misleading.

II.

CONCLUSIONS OF LAW

6. The MREAC has authority to deny or refuse an application for certification pursuant to § 339.532.1. RSMo 2000, and § 339.532.2(5) - (10) and (14), RSMo 2000, which provide:

1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection

2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

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 his certificate or license for any one or any combination of the following causes:

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(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;

(14) Violation of any professional trust or confidence[.]

7. Section 339.535, RSMO, provides:

State certified real estate appraisers and state licensed real estate appraisers shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation.

8. The MREAC has cause to deny Strayer's request for certification pursuant to § 339.532.1, RSMo 2000, and § 339.532.2(6) and (7), RSMo 2000, in that Strayer violated the Uniform Standards of Professional Appraisal Practice ("USPAP") Standard 1-1(a), 1-1(b), 1-2(e), 1-4(a), 1-4(g), 2-1(a), and 2-2, 2006 edition, as a result of the conduct identified in paragraphs 4 and 5 of this Order.

9. The MREAC has cause to deny Strayer's request for certification pursuant to § 339.532.1, RSMo 2000, and § 339.532.2(8), RSMo 2000, in that as a result of the conduct identified in paragraphs 4 and 5 of this Order, Strayer failed or refused without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal, namely, the Kansas City report.

10. The MREAC has cause to deny Strayer's request for certification pursuant to § 339.532.1, RSMo 2000, and § 339.532.2(9), RSMo 2000, in that as a result of the conduct identified in paragraphs 4 and 5 of this Order, Strayer committed negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal, namely, the Kansas City report.

11. The MREAC has cause to deny Strayer's request for certification pursuant to § 339.532.1, RSMo 2000, and § 339.532.2(8) and (9), RSMo 2000, in that as a result of the conduct described in paragraphs 4 and 5, Strayer failed to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal or, alternatively, committed negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal, namely, the Kansas City report.

12. The MREAC has cause to deny Strayer's request for certification pursuant to § 339.532.1, RSMo 2000, and § 339.532.2(10), RSMo 2000, in that by not complying with USPAP Standards in the Kansas City report, as described in this Order, Strayer violated or assisted or enabled another to willfully disregard, a provision of Chapter 339.500 to 339.549, RSMo, namely, § 339.535, RSMo 2000.

13. As a result of the conduct identified in paragraphs 4, 5 and/or paragraphs 8 - 12 of this Order, the MREAC has cause to deny Strayer's request for certification pursuant to § 339.532.1, RSMo 2000, and § 339.532.2(5), RSMo 2000, for demonstrating incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of the profession licensed or regulated by sections 339.500 to 339.549, RSMo.

14. As a result of the conduct identified in paragraph 4, 5 and/or paragraphs 8 - 12 of this Order, the MREAC has cause to deny Strayer's request for certification pursuant to § 339.532.1, RSMo 2000, and § 339.532.2(14), RSMo 2000, for violating a professional trust or confidence.

15. As an alternative to refusing to issue a license, the MREAC may, at its discretion, issue a license subject to probation, pursuant to § 620.149, RSMo 2000, which provides:

Whenever a board within the division of professional registration, including the division itself when so empowered, may refuse to issue a license for reasons which also serve as a basis for filing a complaint with the administrative hearing commission seeking disciplinary action against a holder of license, the board, as an alternative to refusing to issue a license, may, at its discretion, issue to an applicant a license subject to probation.

16. The MREAC issues this Order in lieu of denial of Strayer's application for certification as a state-certified residential real estate appraiser. In light of the foregoing conduct, the MREAC has determined that this Order is necessary to ensure the protection of the public health, safety and welfare.

II.

TERMS AND CONDITIONS

17. Based on the foregoing, the MREAC hereby grants a **PROBATED CERTIFICATION**, to Travis Strayer as a state-certified residential real estate appraiser under Chapter 339, RSMo. Strayer's residential real estate appraiser state certification shall immediately be placed on **PROBATION** for a period of **TWO (2) YEARS** from the effective date of this Order, subject to the following terms and conditions:

- A. Strayer shall be entitled to engage in the practice of real estate appraising as a certified residential real estate appraiser pursuant to § 339.500 to § 339.549, RSMo, as amended, provided Strayer adheres to all of the terms and conditions of this Order.
- B. During the probationary period, Strayer 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 sign any appraisal for property located in Missouri as an appraisal supervisor.
- C. Strayer shall successfully attend and complete thirty (30) hours of coursework/ classwork in market data analysis approved by the MREAC. The course/class must include a testing requirement which test Strayer shall successfully complete and pass. Strayer shall submit proof of successful completion of the aforementioned classes/courses and test to the MREAC prior to the expiration of his probation. No portion of the cost approach classes/courses required by this Order may be used to satisfy the appraiser continuing education requirements established by Chapter 339, RSMo (as amended), or the rules of the MREAC.

- D. During the probationary period, Strayer shall maintain a log of all appraisal assignments completed, including appraisal values. Strayer 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. Strayer 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.
- E. During the probationary period, Strayer shall submit samples of his appraisals as requested by the MREAC for review.
- F. During the probationary period, Strayer 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.
- G. Strayer 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.
- H. Strayer shall immediately submit documents showing compliance with the requirements of this Order to the MREAC when requested by the MREAC or its designee.
- I. Strayer shall keep the MREAC apprised of his current home and work addresses and telephone numbers. Strayer shall inform the MREAC in writing within ten (10) days of any change in this information.
- J. During the probationary period, Strayer shall timely renew his certificate, timely pay all fees required for certification and comply with all other requirements necessary to maintain his certificate current and active.
- K. During the probationary period, Strayer shall accept and comply with unannounced visits from the MREAC's representatives to monitor compliance with the terms and conditions of this Order.
- L. 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.
- M. If Strayer 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 Strayer 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 certificate, pursuant to § 620.153, RSMo. The MREAC has continuing jurisdiction to hold a hearing to determine if a violation of this Order has occurred.
- N. Upon the expiration of the probationary period, Strayer'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 Strayer 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 certification. 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.

- O. If the MREAC determines that Strayer 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.
- P. If, at any time during the probationary period, Strayer ceases to reside in the state of Missouri, or ceases to maintain his 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.
- Q. 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.
- R. Any failure by Strayer to comply with any condition of discipline set forth herein constitutes a violation of this Order.

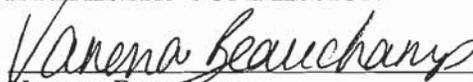
18. The terms of this Order are legally enforceable and binding and not mere recitals. Except as otherwise contained herein, neither this Order nor any of its provisions may be changed, waived, discharged, or terminated, except by an instrument in writing signed by the party against whom the enforcement of the change, waiver, discharge, or termination is sought.

19. The MREAC will maintain this Order as an open record of the MREAC as provided in Chapters 339, 610 and 620, RSMo.

20. The certification will be issued and the probationary terms incorporated herein will become effective upon receipt by the MREAC of all required fees.

SO ORDERED, THIS 2nd day of April, 2008.

**MISSOURI REAL ESTATE
APPRAISERS COMMISSION**


Vanessa Beauchamp,

Executive Director
Missouri Real Estate Appraisers Commission

In all other respects, the MREAC confirms its prior Order which stands without any further alteration or amendment.

SO ORDERED, this 8th day of June, 2009.

**MISSOURI REAL ESTATE
APPRAISERS COMMISSION**



Vanessa Beauchamp, Executive Director
Missouri Real Estate Appraisers Commission