



2. Brian Martin is a natural person and is licensed by the MREAC as a state certified residential real estate appraiser, License No. 2009016658. The MREAC issued Martin's license on June 19, 2009 pursuant to a Disciplinary Order which placed Martin's license on probation for a period of two years subject to terms and conditions. Martin's license was current and valid at all relevant times herein.

3. The Disciplinary Order issuing Martin's license subject to two years probation became effective on June 19, 2009.

4. The Disciplinary Order, stated, in relevant part in paragraphs 7D and 7E:

7. Based on the foregoing, the MREAC hereby grants a PROBATED certification, certificate no. 2009016658, to Brian M. Martin as a state-certified residential real estate appraiser, pursuant to the provisions of § 324.038, RSMo. Such certification is subject to the following terms and conditions:

...

D. Within six months after the effective date of this Order, Martin shall submit verification to the MREAC of successful completion of a Thirty (30) – hour approved course, including examination, on Appraisal Principles.

E. Within six months after the effective date of this Order, Martin shall submit verification to the MREAC of successful completion of a Thirty (30) – hour approved course, including examination, on the Sales Comparison Approach.

5. Paragraph 10 of the Disciplinary Order stated:

10. If any alleged violation of this Order occurred during the probationary period, 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 and, if so, may impose disciplinary action under § 324.042, RSMo.

6. Martin did not submit verification to the MREAC within six months of the effective date of the Disciplinary Order of successful completion of a thirty hour approved course, including examination on Appraisal Principles or successful completion of a thirty hour approved course, including examination on Sales Comparison Approach.

7. On or about November 12, 2010, the MREAC sent notice by regular mail and certified mail to Martin notifying him of the probation violation complaint and of the probation violation hearing in this matter set for February 1, 2011 at 11:00 a.m. at the Missouri Council of School Administrators Building, 3550 Amazonas Drive, Jefferson City, Missouri. The green card from the certified mail copy was signed for by Martin and returned to the MREAC. The February 1, 2011 hearing was cancelled and rescheduled due to a snowstorm in Jefferson City on February 1, 2011. On or about February 4, 2011 the MREAC sent notice by certified mail to Martin notifying him of probation violation hearing in this matter rescheduled for March 15, 2011 at 11:15 a.m. at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri. The green return card from the certified mail copy was signed for by a Karen Martin and returned to the MREAC.

### Conclusions of Law

8. The MREAC has jurisdiction in this proceeding, pursuant to the June 19, 2009 Disciplinary Order to determine whether Martin has violated the terms and conditions of the June 19, 2009 Disciplinary Order.

9. The MREAC also has jurisdiction pursuant to § 324.042, RSMo to determine whether Martin has violated the terms and conditions of the June 19, 2009 Disciplinary Order. Section 324.042 states, in pertinent part:

Any board, commission, or committee within the division of professional registration may impose additional discipline when it finds after hearing that a licensee, registrant, or permittee has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The board, commission, or committee may impose as additional discipline, any discipline it would be authorized to impose in an initial disciplinary hearing.

10. Nichols violated the terms of the Disciplinary Order, paragraphs 7D and 7E, as described in paragraphs 2 through 6 above, when he: 1) failed to submit verification to the MREAC within six months of the effective date of the Disciplinary Order of successful completion of a thirty hour approved course, including examination on Appraisal Principles; and 2) failed to submit verification to the MREAC within six months of the effective date of the Disciplinary Order of successful completion of a thirty hour approved course, including examination on Sales Comparison Approach.

11. The June 19, 2009 Disciplinary Order and § 324.042 allow the MREAC to take such disciplinary action that the MREAC deems appropriate for failure to comply with the terms of the June 19, 2009 Disciplinary Order.

**Decision and Order**

It is the decision of the MREAC that Martin has violated the terms of the July 19, 2009 Disciplinary Order, and that his license is, therefore, subject to further disciplinary action.

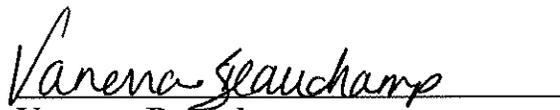
The MREAC orders that Brian Nichols' state certification for residential real estate appraiser, number 2009016658, be and is hereby REVOKED.

. Respondent shall immediately return all indicia of licensure to the Board.

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

SO ORDERED this 18<sup>th</sup> day of March, 2011.

**MISSOURI REAL ESTATE APPRAISERS  
COMMISSION**

  
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**Vanessa Beauchamp,  
Executive Director**