

**BEFORE THE MISSOURI
REAL ESTATE APPRAISERS COMMISSION**

In the Matter of the Application of)
)
STACY KING,)
)
Applicant.)

**ORDER OF THE MISSOURI REAL ESTATE APPRAISERS COMMISSION ISSUING
A PROBATIONARY STATE LICENSED REAL ESTATE APPRAISER’S LICENSE TO
STACY KING**

The Missouri Real Estate Appraisers Commission (the “Commission”) hereby issues its **ORDER** granting a **PROBATIONARY STATE LICENSED REAL ESTATE APPRAISER’S LICENSE**, License No. 2016013851, to Stacy King (hereafter “King”), pursuant to the provisions of § 324.038, RSMo.¹ As set forth in § 324.038.2, RSMo, King may submit a written request to the Administrative Hearing Commission seeking a hearing and review of the Commission’s decision to issue a probated residential appraiser certification. Such written request must be filed with the Administrative Hearing Commission within 30 days of delivery or mailing of this Order of the Commission. The written request should be addressed to the Administrative Hearing Commission, P.O. Box 1557, Truman State Office Building, Room 640, Jefferson City, MO 65102-1557. If no written request for review is filed with the Administrative Hearing Commission within the 30-day period, the right to seek review of the Commission’s decision shall be considered waived. Should King file a written request for review of this Order, the terms and conditions of this Order shall remain in force and effect unless or until such time as the Administrative Hearing Commission issues an Order to the contrary.

¹ All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

I.

Based upon the foregoing, the Commission hereby states:

FINDINGS OF FACT

1. The Commission is an agency of the state of Missouri created and established pursuant to § 339.507, RSMo, for the purpose of licensing all persons engaged in the practice of real estate appraisal in this state. The Commission has control and supervision of the licensed occupations and enforcement of the terms and provisions of Chapter 339.500 to 339.549, RSMo.

2. Applicant's current address is P.O. Box 223, Belton, Missouri, 64012.

3. On or about January 12, 2016, Applicant completed the application to become a State Licensed Real Estate Appraiser.

4. On her application, Applicant answered "yes" to the question "Has applicant ever been adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States, whether or not sentence was imposed?"

5. Applicant explained that she had a conviction for a class C felony for possession of a controlled substance.

6. A review of Applicant's criminal history reveals that:

a. On or about April 29, 2008, Applicant pled guilty to the class A misdemeanor of *Unlawful Use Of Drug Paraphernalia*, in the Circuit Court of Clay County, Missouri, case number 07CY-CR04946. The Court sentenced Applicant to 180 days' jail incarceration, suspended execution of Applicant's sentence and placed Applicant on two years' supervised probation.

b. On or about December 3, 2009, Applicant pled guilty to the class C felony of *Possession of a Controlled Substance*, in the Circuit Court of Jackson County, Missouri, case number 0716CR0188602. The Court suspended imposition of Applicant's sentence and placed Applicant on two years' supervised probation.

7. On or about February 4, 2016, Applicant submitted her experience log containing twelve months and 2,000 hours of experience. The Commission requested two work samples based on her experience log.

8. On or about February 8, 2016, Applicant submitted two demonstration appraisals to the Commission for review.

9. On or about March 8, 2016, Applicant passed the State Licensed Real Estate Appraiser examination.

10. The Commission met with Applicant on March 22, 2016 regarding the two appraisals.

11. On or about April 15, 2016, the Commission completed its final review of Applicant's appraisal of a residential property located at 6212 Ward Parkway, Kansas City, Missouri ("Ward Parkway" appraisal).

12. The Ward Parkway Appraisal did not comply with several provisions of the Uniform Standards of Professional Appraisal Practice (USPAP):

- a. It failed to comply with USPAP Standards Rule 1-1(a), (b) and (c), because Applicant was not aware of, did not understand, and did not correctly employ recognized methods and techniques necessary to produce a credible appraisal; Applicant committed substantial errors of omission or commission that significantly affected the appraisal; and Applicant rendered appraisal services in a

careless or negligent manner, in that Applicant did not provide analysis of the contract; failed to provide support for the site value; provided no explanation of why it appraised for more than the asking price; and provided no comments as to the neighborhood that weren't generic.

- b. It failed to comply with USPAP Standards Rule 1-2(e)(i), because Applicant did not correctly identify the characteristics of the property that were relevant to the type and definition of value and intended use of the appraisal, including its location and physical, legal and economic attributes, in that the zoning was incorrect and the neighborhood comments were canned and spoke nothing to the subject property specifically.
- c. It failed to comply with USPAP Standards Rule 1-4(b)(i) because the cost approach was necessary for credible assignment results and Applicant did not develop an opinion of site value by an appropriate appraisal method or technique in that Applicant did not develop site value support.
- d. It failed to comply with USPAP Standards Rule 1-5(a), because Applicant failed to analyze the contract.
- e. It failed to comply with USPAP Standards Rule 2-1(b) because the written appraisal report did not contain sufficient information to enable the intended users of the appraisal to understand the report properly in that Applicant used canned comments and no specific information regarding the subject property and the location.
- f. It failed to comply with USPAP Standards Rule 2-2, because the report did not prominently state which reporting option was used by Applicant and the report

failed to include an analysis of the contract; it contained canned comments for the location; it contained canned comments and incorrect zoning for site comments; and there were no comments/analysis of why the value was \$560,000 and the property was listed at \$539,950 after being reduced from \$569,000.

- g. It failed to comply with USPAP Standards Rule 2-2(a)(iii), because Applicant did not summarize the information sufficiently enough to identify the real estate involved in the appraisal, in that incorrect zoning was used and there were no comments that were specific to the subject property.

13. On or about April 15, 2016, the Commission completed its final review of Applicant's appraisal of a residential property located at 11712 E 59th Street, Kansas City, Missouri ("59th Street" appraisal).

14. The 59th Street Appraisal did not comply with several provisions of the Uniform Standards of Professional Appraisal Practice (USPAP):

- a. It failed to comply with USPAP Standards Rule 1-1(a), (b) and (c), because Applicant was not aware of, did not understand, and did not correctly employ recognized methods and techniques necessary to produce a credible appraisal; Applicant committed substantial errors of omission or commission that significantly affected the appraisal; and Applicant rendered appraisal services in a careless or negligent manner, in that Applicant did not provide analysis of the contract; failed to provide support for the site value; provided no explanation of why it appraised for more than the asking price; and provided no comments as to the neighborhood that weren't generic.

- b. It failed to comply with USPAP Standards Rule 1-2(e)(i), because Applicant did not correctly identify the characteristics of the property that were relevant to the type and definition of value and intended use of the appraisal, including its location and physical, legal and economic attributes, in that the zoning was incorrect and the neighborhood comments were canned and spoke nothing to the subject property specifically.
- c. It failed to comply with USPAP Standards Rule 1-4(b)(i) because the cost approach was necessary for credible assignment results and Applicant did not develop an opinion of site value by an appropriate appraisal method or technique in that Applicant did not develop site value support.
- d. It failed to comply with USPAP Standards Rule 1-5(a), because Applicant failed to analyze the contract.
- e. It failed to comply with USPAP Standards Rule 2-1(b) because the written appraisal report did not contain sufficient information to enable the intended users of the appraisal to understand the report properly in that Applicant used canned comments and no specific information regarding the subject property and the location.
- f. It failed to comply with USPAP Standards Rule 2-2, because the report did not prominently state which reporting option was used by Applicant and the report fails to include an analysis of the contract; it contained canned comments for the location; it contained canned comments and incorrect zoning for site comments; and there were no comments/analysis of why the value was \$77,000 and the property was listed at \$69,981 after being reduced from \$75,000.

- g. It failed to comply with USPAP Standards Rule 2-2(a)(iii), because Applicant did not summarize the information sufficiently enough to identify the real estate involved in the appraisal, in that incorrect zoning was used and there were no comments that were specific to the subject property.

II.

CONCLUSIONS OF LAW

15. The Commission has authority to deny or refuse any certificate or license application pursuant to § 339.532.1, RSMo, which provides:

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 his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

16. The Commission has cause to deny or refuse Applicant's application for licensure as a State Licensed Real Estate Appraiser pursuant to § 339.532.2, RSMo, which provides:

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

...

- (4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any

offense involving moral turpitude, whether or not sentence is imposed;

...

- (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[.]

17. As a result of Applicant's guilty pleas as detailed in paragraph 6 a – b above and Applicant's non-compliance with numerous provisions of USPAP in the Ward Parkway and 59th Street Appraisals, the Commission has cause to deny or refuse Applicant's application for licensure as a State Licensed Real Estate Appraiser pursuant to § 339.532.1, RSMo, and § 339.532.2 (4), (7) and (8), RSMo.

18. As an alternative to refusing to issue a license, the Commission may, at its discretion, issue a license subject to probation, pursuant to § 324.038.1, RSMo, which provides:

Whenever a Commission within or assigned to 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 a license, the Commission, as an alternative to refusing to issue a license, may, at its discretion, issue to an applicant a license subject to probation.

19. The Commission issues this Order in lieu of denial of Applicant's application for licensure as a State Licensed Real Estate Appraiser. The Commission has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

15. Based on the foregoing, Applicant is granted licensure as a State Licensed Real Estate Appraiser, which is hereby placed on **PROBATION** for a period of one (1) year from the effective date of this Order, subject to the terms and conditions set forth below.

IV.

TERMS AND CONDITIONS

16. During the aforementioned probation, Applicant shall be entitled to present herself and serve as a State Licensed Real Estate Appraiser subject to the following terms and conditions:

I. Education Requirements

- A. Within six months after the effective date of this Order, Applicant shall submit verification to the Commission of successful completion of a fifteen hour approved qualifying education course on report writing.

II. General Requirements

- A. During the probationary period, Applicant shall not supervise any real estate appraisal, as defined by § 339.503(1), RSMo, of property located in the state of Missouri nor sign any appraisal for property located in Missouri as an appraisal supervisor.
- B. During the probationary period, Applicant shall maintain a log of all appraisal assignments completed, including appraisal values. Applicant shall submit a true and accurate copy of her log to the MREAC within three (3) months after the effective date of this Order and a copy of the log within nine (9) months after the effective date of this Order. All logs shall comply with rule 20 CSR 2245-2.050.
- C. During the disciplinary period, Applicant shall keep the Commission informed of her current work and home telephone numbers. Applicant shall notify the Commission in writing within ten days (10) of any change in this information.
- D. During the probationary period, as necessary, Applicant shall timely renew her licensure granted hereby and shall timely pay all fees required for licensure and comply with all other Commission requirements necessary to maintain said license in a current and active state.

- E. During the probationary period, Applicant shall accept and comply with unannounced visits from the Commission's representatives to monitor compliance with the terms and conditions of this Order.
- F. During the disciplinary period, Applicant shall appear in person for interviews with the Commission or its designee upon request.
- G. Applicant shall submit written reports to the Commission every six (6) months during the probationary period stating truthfully whether there has been compliance with all terms and conditions of this Order. The first such report shall be received by the Commission on or before six months from the effective date of this Order.
- H. Applicant shall execute any release or provide any other authorization necessary for the Commission to obtain records of her employment during the terms of the permit.
- I. Applicant shall comply with all provisions of §§ 339.500 to 339.549, RSMo; all federal and state drug laws, rules, and regulations; and all federal and state criminal laws. "State" here includes the state of Missouri, all other states and territories of the United States, and the ordinances of political subdivisions of any state or territory. Applicant shall immediately report any violation of this provision to the Commission in writing. Applicant shall also immediately report any allegation that she has violated this provision to the Commission, in writing. Examples of allegations of such a violation include, but are not limited to, any arrest, summons, inquiry by any law enforcement official into these topics, or inquiry into these topics by a health oversight agency. Applicant shall sign releases or other documents authorizing and requesting the holder of any closed record related to this paragraph to release such records to the Commission.
- J. Applicant is hereby informed that the Missouri Real Estate Appraisers Commission will maintain this Order as an open record of the Commission as provided in Chapters 610, 339 and 324, RSMo. She shall truthfully answer any inquiry regarding her license status or disciplinary history.
- K. Applicant shall immediately submit documents showing compliance with the requirements of this Order to the Commission when requested.
- L. In the event the Commission determines that Applicant has violated any term or condition of this Order, the Commission may, in its discretion, after an evidentiary hearing, suspend, revoke, or otherwise lawfully discipline Applicant's licensure.
- M. No Order shall be entered by the Commission pursuant to the preceding paragraph of this Order without notice and an opportunity for hearing before the Commission in accordance with the provisions of Chapter 536, RSMo.
- N. If, at any time during the probationary period, Applicant changes her address from the state of Missouri, or ceases to maintain her State Licensed Real Estate Appraiser

licensure as current and active under the provisions of Chapter 339, RSMo, or fails to keep the Commission advised of all current places of residence, 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.

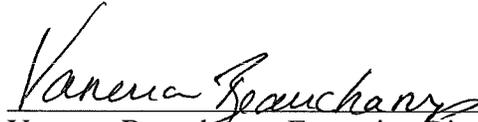
- O. Unless otherwise specified by the Commission, all reports, documentation, notices, or other materials required to be submitted to the Commission shall be forwarded to: Missouri Real Estate Appraisers Commission, P.O. Box 1335, Jefferson City, Missouri 65102.
- P. Any failure by Applicant to comply with any condition of discipline set forth herein constitutes a violation of this Order.

17. This Order does not bind the Commission or restrict the remedies available to it concerning any violation by Respondent of the terms and conditions of this Order, Chapter 339, RSMo, or the regulations promulgated thereunder.

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

SO ORDERED, EFFECTIVE THIS 2nd DAY OF MAY, 2016.

MISSOURI REAL ESTATE APPRAISERS COMMISSION



Vanessa Beauchamp, Executive Director