

**BEFORE THE REAL ESTATE APPRAISER LICENSING
AND CERTIFICATION BOARD****IN THE MATTER OF DANIEL W. HOPE STATE CERTIFIED
GENERAL REAL ESTATE APPRAISER #033****CONSENT AGREEMENT****TO: Daniel W. Hope
Post Office Box 308
Mt. Storm, West Virginia 26739**

Come now Daniel W. Hope, by counsel, James Paul Geary, and the West Virginia Real Estate Appraiser Licensing and Certification Board (hereinafter "Board"), by counsel, William T. Douglass, Jr., Assistant Attorney General, for the purpose of agreeing to disciplinary action which shall be taken against Mr. Hope by the Board pursuant to W. Va. Code § 37-14-23. As reflected in this document, the parties have reached an agreement concerning the proper disposition of this matter, and the Board, approving such agreement, does hereby find and order as follows:

FINDINGS OF FACT

1. The Board is a state entity created by W. Va. Code § 37-14-1, et seq., and is empowered to regulate the practice of real estate appraising pursuant to W. Va. Code § 37-14-6.
2. Daniel W. Hope was issued a certification as a State Certified General Real Estate Appraiser, #033, by the Board.
3. On October 17, 1992, Mr. Hope prepared an Appraisal Report for Big Apple Mortgage Company. In this Appraisal Report, Mr. Hope appraised property owned by Donald Dellinger, located at Route 2, Box 185, Martinsburg, West Virginia 25401. The legal description of the property pursuant to the appraisal report of Mr. Hope is stated as Lots 2 and 3, Woodbrir MNR SD OPEQUON DIST DB 390-583. Mr. Hope signed the document with the heading Certification and Statement of Limiting Conditions indicating

that he had personally inspected the property, when in fact he did not personally inspect the property.

4. On January 20, 1993, Mr. Hope prepared an Appraisal Report for Big Apple Mortgage Company. In this Appraisal Report, Mr. Hope appraised property owned by James and Doris Bowen located at Route 2, Box 578, Inwood, West Virginia 25428. The legal description of the property pursuant to the appraisal report of Mr. Hope is stated as Lot 9, Section 1, Inwood East SD DB 443-545. Mr. Hope signed the document with the heading Certification and Statement of Limiting Conditions indicating that he had personally inspected the property, when in fact he did not personally inspect the property.

5. On March 29, 1993, Mr. Hope prepared an Appraisal Report for Big Apple Mortgage Company. In this Appraisal Report, Mr. Hope appraised property owned by John and Betty LaFage located at SR 7-20 Glengary, West Virginia 25427. The legal description of the property pursuant to the appraisal report of Mr. Hope is stated as Lot 5 SR 7-20 Hedgesville DIST DB 456-628. Mr. Hope signed the document with the heading Certification and Statement of Limiting Conditions indicating that he had personally inspected the property, when in fact he did not personally inspect the property.

6. On September 29, 1992, Mr. Hope prepared an Appraisal Report for One Valley Bank. In this Appraisal Report, Mr. Hope appraised property owned by Norman R. Moats, located at 2114 Atlas Street, Martinsburg, West Virginia 25401. The legal description of the property pursuant to the appraisal report of Mr. Hope is stated as Lots 12 and 13, Block 29, Berkeley Springs Village SD DB 358-659. Mr. Hope signed the document with the heading Certification and Statement of Limiting Conditions indicating that he had personally inspected the property, when in fact he did not personally inspect the property.

7. On October 1, 1992, Mr. Hope prepared an Appraisal Report for One Valley Bank. In this Appraisal Report, Mr. Hope appraised property owned by Merrill and Betty Betts located at 509 North Mary Street, Hedgesville, West Virginia 25427. The legal description of the property pursuant to the appraisal report of Mr. Hope is stated as 3.95 Acre PC1 & R/WRT901 Hedgesville DIST DB 404-626. Mr. Hope signed the document with the heading Certification and Statement of Limiting Conditions indicating that he had personally inspected the property, when in fact he did not personally inspect the property.

8. Mr. Hope substantially benefited from these acts of misrepresentation in that he collected fees for the preparation of the appraisal reports indicating that he had personally inspected the property, when in fact he did not inspect the property.

9. The appraisal reports indicated that an independent contract trainee of Mr. Hope's did in fact also sign the appraisal reports set out aforesaid; however, the Certification and Statement of Limiting Conditions did not state and condition that the trainee inspected the property and conferred with Mr. Hope.

10. On February 16, 1994, the Board voted to allow Mr. Hope to remain licensed subject to the terms and conditions contained in this Consent Agreement.

CONCLUSIONS OF LAW

1. West Virginia Code § 37-14-23 establishes grounds for disciplinary action by the Board. As indicated in the Findings of Fact, Mr. Hope violated this section when he signed the document with the heading Certification and Statement of Limiting Conditions indicating that he had personally inspected the property, when in fact he did not inspect the property.

2. West Virginia Code § 37-14-23(7) allows the Board to take disciplinary action upon a licensee who violates any section of the Board's statute or legislative rules. As indicated in the Findings of Fact, Mr. Hope has violated a portion of the statute, and therefore his license is subject to disciplinary action.

CONSENT

Daniel W. Hope, by affixing his signature hereon, agrees to the following:

1. He acknowledges that he is aware of his option to pursue this matter through appropriate administrative and/or court channels but intelligently and voluntarily waives his right to do so.

2. He consents to the entry of the following Order affecting his license to practice real estate appraising in the State of West Virginia.

ORDER

On the basis of the foregoing, the Board hereby ORDERS that:

1. Certification #033 issued to Daniel W. Hope shall be suspended for a total of thirty (30) days commencing March 1, 1994 to March 30, 1994, inclusive.

2. During said suspension period, Mr. Hope shall not under any circumstances misrepresent his certification status.

3. Upon completion of the thirty (30) day suspension period, the Certification of Mr. Hope shall be placed on probation until October 1, 1994.

4. The Board and Mr. Hope agree that this Consent Agreement and the disciplinary action taken herein is final as to all actions of Mr. Hope, now known or unknown, prior to this date, that relate to his misrepresentation of signing documents with the heading Certification and Statement of Limiting Conditions indicating that he had personally inspected the property when in fact he did not personally inspect the property, in violation of W. Va. Code § 37-14-23(3).

If, during said suspension and probationary period, the Board is presented with any evidence from any source proving or tending to prove that Mr. Hope is not in compliance with W. Va. Code § 37-14-1, et seq., (except as agreed aforesaid), the Board shall immediately notify him of the specific nature of charges, [REDACTED] and schedule a hearing on the revocation of his license. Such hearing shall be held within twenty (20) days of notification. If the charges are not proven, Mr. Hope's

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probationary license shall continue. If the hearing cannot be held within the twenty (20) day period at the fault of Mr. Hope or his counsel, Mr. Hope's license shall be suspended until the hearing is held. Mr. Hope hereby waives the provisions of W. Va. Code § 30-1-8(b), or any other applicable statute or rules and regulations requiring thirty (30) days notice prior to the hearing.

5. Following the satisfactory completion of the probationary period, Mr. Hope's certification shall be renewed and fully reinstated.

6. The fact that this dispute resulted in a settlement via consent agreement shall be published in the newsletter published by the Board on a quarterly basis.

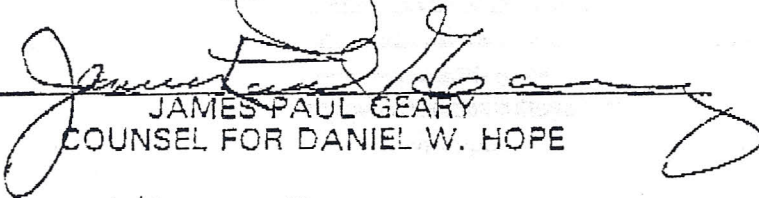
7. Should proper cause arise or law require, federal and state authorities shall be notified of the settlement via consent agreement.

The Board recognizes that this agreement is a compromise of a disputed claim and is not to be construed as an admission of liability or culpability on the part of Mr. Hope.

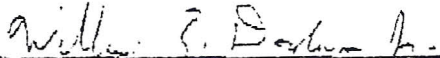
ENTERED this 16th day of February, 1994.



DANIEL W. HOPE



JAMES PAUL GEARY
COUNSEL FOR DANIEL W. HOPE



WILLIAM T. DOUGLASS
ASSISTANT ATTORNEY GENERAL
COUNSEL FOR THE BOARD



LARRY J. PUCCIO
CHAIRMAN
REAL ESTATE APPRAISER LICENSING AND
CERTIFICATION BOARD