

**BEFORE THE WEST VIRGINIA REAL ESTATE APPRAISER  
LICENSING AND CERTIFICATION BOARD**

**IN THE MATTER OF DARLEEN C. WESTFALL  
Certification No. 0574**

**CONSENT DECREE**

**THIS CONSENT DECREE** is made and entered into this 3<sup>rd</sup> day of July, 2002 by and between the West Virginia Real Estate Appraiser Licensing and Certification Board ("Board"), and Darleen C. Westfall ("Licensee").

**WHEREAS**, the Board is a state entity created pursuant to W.Va. Code § 30-38-1 *et seq.*, and is empowered to regulate real estate appraisal activity within the State of West Virginia. Formerly, the Board was a state entity created pursuant to W.Va. Code § 37-14-1 *et seq.*, and was empowered to regulate real estate appraisal activity within the State of West Virginia.

**WHEREAS** the Licensee currently holds a state certified residential real estate appraiser certification, Certification No. 0574, issued by the Board.

**WHEREAS** the Board has had under review a complaint against the Licensee in connection with the Licensee's conduct, practices and acts as a certified residential real estate appraiser, Complaint No. 01-021.

**WHEREAS** the Board has reasonable cause to believe, that the Licensee may have engaged in conduct, practices or acts constituting a deviation from generally accepted standards of professional appraisal practices as they relate to geographic competency in connection with the valuation of certain real property.

**WHEREAS** the Board was formerly authorized to suspend, revoke or otherwise discipline its licensees pursuant to W.Va. Code § 37-14-1 *et seq.*, and is currently authorized to suspend, revoke or otherwise discipline its licensees pursuant to W.Va. Code § 30-1-8 and W.Va. Code 30-38-

**WHEREFORE** good and valuable consideration the parties agree each with the other as follows:

1. In connection with Complaint No. 01-021 the Licensee does not admit, in any way, that her conduct, practices and acts as a certified residential real estate appraiser have constituted a deviation from generally accepted standards of professional appraisal practices, and expressly denies the same.

2. Notwithstanding, the Licensee hereby agrees and assures the Board that she will comply with the provisions of W.Va. Code § 30-38-1 *et seq.*, and any rules of the Board promulgated pursuant thereto, in the course and conduct of her profession as a certified residential real estate appraiser.

3. The Licensee agrees to complete and successfully pass an approved minimum 15 hour tested course in the sales comparison approach within six (6) months from the date of this Consent Decree and to provide adequate documentation to the Board of such satisfactory completion. Provided, that completion of said course shall not be credited toward any continuing education requirements of the Board.

4. The Licensee agrees to pay the Board the sum of Five Hundred Dollars and 0/100 (\$500.00) representing the Board's administrative costs in connection with the investigation of Complaint No. 01-021 within six (6) months from the date of this Consent Decree.

5. After the education requirement referenced herein has been successfully completed and the administrative costs have been tendered, the Board will then close Complaint No. 01-021.

6. It is agreed and understood that the contents of this Consent Decree are and shall be public information.

7. It is further agreed and understood that while the parties to this Consent Decree presently intend to cooperate in obtaining compliance with the terms and conditions set forth herein, the matters settled by the execution of this Consent Decree may be reopened at any time by the Board for further proceedings in the public interest upon determination by the Board that reasonable cause exists to believe that the Licensee has failed to comply or otherwise violated the terms of this Consent Decree.

8. This Consent Decree shall be interpreted in accordance with the laws of the State of West Virginia, and venue of any lawsuit filed by any party arising in whole or in part out of this Consent Decree shall be in the Circuit Court of Kanawha County, West Virginia, and further that in the event any part of this Consent Decree is invalidated by order of a court of competent jurisdiction or by legislative action, the remainder of this Consent Decree shall remain in binding effect.

9. This Consent Decree constitutes the entire agreement between the parties.

**IN WITNESS WHEREOF** the parties hereto have caused this Consent Decree to be duly executed the day and year first above written.

**WEST VIRGINIA REAL ESTATE APPRAISER  
LICENSING AND CERTIFICATION BOARD**

By: 

Its: Chairman

  
**DARLEEN C. WESTFALL**