

BEFORE THE WEST VIRGINIA REAL ESTATE APPRAISER  
LICENSING AND CERTIFICATION BOARD

RECEIVED

OCT 15 2002

IN THE MATTER OF LAWANTA B. VECCHIO  
License No. 0691

CONSENT DECREE

**THIS CONSENT DECREE** is made and entered into this 7 day of Oct.,  
2002 by and between the West Virginia Real Estate Appraiser Licensing and Certification Board  
("Board"), and Lawanta B. Vecchio ("Licensee").

**WHEREAS**, the Board is a state entity created pursuant to W.Va. Code § 30-38-1 *et seq.*,  
and is empowered to regulate the practice and profession of real estate appraising within the State  
of West Virginia, including but not limited to the licensing and disciplining of appraisers.

**WHEREAS** the Licensee currently holds a state license as a licensed residential real estate  
appraiser, License No. 0691, issued by the Board.

**WHEREAS** the Board has had under review two (2) complaints against the Licensee in  
connection with the Licensee's conduct, practices and acts as a licensed residential real estate  
appraiser: Complaint No. 02-006 and Complaint No. 02-018B.

**WHEREAS** in connection with Complaint No. 02-006 relating to an appraisal report dated  
March 13, 2002 for real estate located at 413 E. Main Street, Clarksburg, West Virginia, 26301, the  
Board has probable cause to believe that the Licensee may have engaged in conduct, practices or acts  
constituting professional negligence or a willful departure from accepted standards of professional  
conduct or a deviation from generally accepted standards of professional appraisal practices as  
evidenced by the Uniform Standards of Professional Appraisal Practices [2001 Edition] in violation  
of W.Va. Code § 30-1-8(a), W.Va. Code § 30-38-12(a)(7) & (11) and W.Va. Code § 30-38-17.

**WHEREAS** in connection with Complaint No. 02-018B relating to the inspection and supervision of apprentice appraisals the Board has probable cause to believe that the Licensee may have engaged in conduct, practices or acts constituting professional negligence or a willful departure from accepted standards of professional conduct or a deviation from generally accepted standards of professional appraisal practices as evidenced by the Uniform Standards of Professional Appraisal Practices [2001 and 2002 Editions] in violation of W.Va. Code § 30-1-8(a), W.Va. Code § 30-38-12(a)(3) & (7), W.Va. Code § 30-38-17 and 190 C.S.R. 2-12.5.a [Effective Date May 27, 1997].

**WHEREAS** the Board is authorized to suspend, revoke or otherwise discipline its licensees pursuant to W.Va. Code § 30-1-8 and W.Va. Code 30-38-13.

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

1. In connection with Complaint No. 02-006 the Licensee does not admit, in any way, that her conduct, practices and acts as a licensed residential real estate appraiser constituted professional negligence or a willful departure from accepted standards of professional conduct or a deviation from generally accepted standards of professional appraisal practices as evidenced by the Uniform Standards of Professional Appraisal Practices [2001 Edition].

2. In connection with Complaint No. 02-018B the Licensee admits that her conduct, practices and acts as a licensed residential real estate appraiser constituted professional negligence or a willful departure from accepted standards of professional conduct or a deviation from generally accepted standards of professional appraisal practices as evidenced by the Uniform Standards of Professional Appraisal Practices [2001 and 2002 Editions] in violation of W.Va. Code § 30-1-8(a),

W.Va. Code § 30-38-12(a)(3) & (7), W.Va. Code § 30-38-17 and 190 C.S.R. 2-12.5.a [Effective Date May 27, 1997].

3. The Licensee hereby agrees to a one (1) year suspension of her license as a licensed real estate appraiser, License No. 0691. Said suspension to run from the date of this Consent Decree: The Licensee hereby acknowledges that she is to cease and desist all real estate appraisal activity during the pendency of this suspension.

4. Upon expiration of the suspension, the Licensee shall be entitled to reapply for licensure as a licensed real estate appraiser: Provided, that prior to being re-licensed, the Licensee agrees to complete and successfully pass an approved minimum 14 hour tested course in the sales comparison approach, and to provide adequate documentation to the Board of such satisfactory completion; Provided, further, that completion of said course shall not be credited toward any continuing education requirements of the Board.

5. The Licensee hereby agrees and assures the Board that she will, if re-licensed, 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 licensed real estate appraiser.

6. Upon execution of this Consent Decree the Licensee agrees to pay the Board the sum of Two Thousand Six Hundred Twenty-Five Dollars and 0/100 (\$2,625.00) representing the Board's administrative costs in connection with its investigations of Complaint No. 02-006 and Complaint No. 02-018B.

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


8. 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.


9. 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.

10. 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: 

  
**LAWANTA B. VECCHIO**