

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

RECEIVED

**IN THE MATTER OF CHRISTOPHER SMITH  
Apprentice Permit No. 10309**

**JAN 28 2003**

**Case No. 02-009B**

**CONSENT DECREE**

**THIS CONSENT DECREE** is made and entered into this 28 day of JAN, 2003 by and between the West Virginia Real Estate Appraiser Licensing and Certification Board ("Board"), and Christopher Smith ("Apprentice").

**WHEREAS**, the Board is a state entity created pursuant to W.Va. Code §30-38-1 *et seq.*, formerly W.Va. Code §37-14-1 *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 Apprentice currently holds an Apprentice Permit, Permit No. 10309, issued by the Board.

**WHEREAS** the Board has had under review one (1) complaint against the Apprentice in connection with the Apprentice's conduct, practices and acts as an apprentice: Complaint No. 02-009B.

**WHEREAS** in connection with Complaint No. 02-009B involving an appraisal report dated March 22, 2002, for real estate located at 115 Woodland Court, Charles Town, West Virginia, the Board has probable cause to believe that the Apprentice may have engaged in conduct, practices or acts constituting a deviation from generally accepted standards of professional appraisal practices as evidenced by the Uniform

Standards of Professional Appraisal Practices [1993 Edition] in violation of W.Va. Code §§37-14-22 & 23(7).

**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 §30-38-13.

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

1. In connection with Complaint No. 02-009B, the Apprentice does not admit, in any way, that his conduct, practices and acts as an apprentice have constituted a deviation from generally accepted standards of professional appraisal practices as evidenced by the Uniform Standards of Professional Appraisal Practices [1993 Edition].

2. The Apprentice hereby agrees to complete three hundred (300) experience hours, beginning from the date of this Consent Decree is entered.

3. The Apprentice shall maintain a log provided by the Board of all appraisals performed by him while completing the three hundred (300) experience hours. The Board shall have the right to choose three (3) appraisals at random from the log for review. If after reviewing such files the Board determines there is probable cause to pursue further disciplinary action, nothing herein shall be construed to preclude the Board from doing so. . The Apprentice will pay the cost for these reviews.

3. The Apprentice agrees to complete and successfully pass an approved 30-45 hour L-1 basic appraisal principals course and to provide adequate documentation to the Board of such satisfactory completion, which may also be credited toward any

continuing education requirements of the Board, within six (6) months from the date this Consent Decree is entered.

4. The Apprentice hereby agrees and assures the Board that he 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 his profession as an apprentice.

5. The Apprentice agrees to pay the Board the sum of One Hundred Fifty Dollars and 0/100 (\$150.00) representing the Board's administrative costs in connection with its investigation of Complaint No. 02-009B.

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 Apprentice has failed to comply or otherwise violated the terms of this Consent Decree.

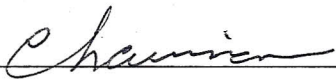
8. This Consent Decree shall be interpreted in accordance with the laws of the State of West Virginia, and venue of any lawsuit filed by any party arising in whole or in part out of this Consent Decree shall be in the Circuit Court of Kanawha County, West Virginia, and further that in the event any part 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.

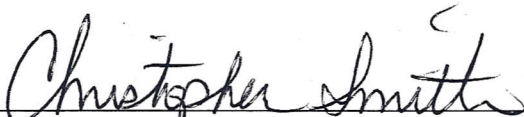
9. This Consent Decree constitutes the entire agreement between the parties.

**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: 

  
**Christopher Smith**