

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

IN THE MATTER OF:

Case No. 02-005; 02-020; and 02-024

**Jack Skidmore
Licensed Residential Appraiser
No. 0344**



CONSENT AGREEMENT

Comes now Jack Skidmore, pro se, and the West Virginia Real Estate Appraiser Licensing and Certification Board (hereinafter the "Board"), by counsel, Barry L. Koerber, Assistant Attorney General, for the purpose of agreeing to disciplinary action which shall be taken against Mr. Skidmore by the Board pursuant to W.Va. Code §30-38-12(a)(7) and (11). 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 was created by W.Va. Code §30-38-1 *et seq.*, and is empowered to regulate the practice of real estate appraising pursuant to W.Va. Code §30-1-8 and W.Va. Code §30-38-7(e).
2. Jack Skidmore was issued a license as a Licensed Residential Real Estate Appraiser, No. 0344.
3. In connection with the preparation of an appraisal report on November 8, 2001, for real property located at 719 Mapleview Lane, Shady Spring,

West Virginia, Mr. Skidmore violated W.Va. Code §30-38-12(a)(7) which provides that the Board may impose disciplinary sanctions for a violation of any section of Article 38, Chapter 30, or any rule of the Board. W.Va. Code §30-38-17 provides that each real estate appraiser shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Foundation (hereinafter USPAP). Mr. Skidmore violated USPAP Standards Rule 1.1.(a) through (c) by using inappropriate comparables which resulted in a significant overvaluation of this property.

4. In connection with the preparation of an appraisal report on July 6, 2000, for real property located at 3642 Flat Top Road, Ghent, West Virginia, Mr. Skidmore violated W.Va. Code §30-38-12(a)(7) which provides that the Board may impose disciplinary sanctions for a violation of any section of Article 38, Chapter 30, or any rule of the Board. W.Va. Code §30-38-17 provides that each real estate appraiser shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Foundation (hereinafter USPAP). Mr. Skidmore violated USPAP Standards Rule 1.1.(a) through (c) by using inappropriate comparables which resulted in a significant overvaluation of this property.
5. In connection with the preparation of an appraisal report on June 26, 2001, for real property located at 00 Ames Heights Road, Lansing, West Virginia, Mr. Skidmore violated W.Va. Code §30-38-12(a)(7) which provides that the Board may impose disciplinary sanctions for a violation

of any section of Article 38, Chapter 30, or any rule of the Board. W.Va. Code §30-38-17 provides that each real estate appraiser shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Foundation (hereinafter USPAP). Mr. Skidmore violated USPAP Standards Rule 1.1.(a) through (c) by using inappropriate comparables which resulted in a significant overvaluation of this property.

CONCLUSIONS OF LAW

1. W.Va. Code §30-38-7(e) provides that “The board shall...censure, suspend or revoke licenses and certifications as provided in this article.”
2. W.Va. Code §30-38-12(a)(7) provides that the Board may impose disciplinary sanctions for violating any section of Article 38, Chapter 30, or any rule of the Board.
3. W.Va. Code §30-38-12(a)(11) provides that “[t]he board may refuse to issue or renew a license or certification, or after issuance may suspend or revoke a license or certification or impose disciplinary sanctions for...[f]ailing or refusing without good cause to exercise reasonable diligence, or negligence or incompetence, in developing an appraisal, preparing an appraisal report, or communicating an appraisal.”
4. Pursuant to W.Va. Code §30-38-17, the Board has adopted the Uniform Standards of Professional Appraisal Practice (USPAP) promulgated by The Appraisal Foundation.

5. The Uniform Standards of Professional Appraisal Practice (1993), Standards Rule 1-1(a), (b) and (c) states:
 - (a) “be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to product a credible appraisal;
 - (b) not commit a substantial error of omission or commission that significantly affects an appraisal; and
 - (c) not render appraisal services in a careless or negligent manner, such as by making a series of errors that, although individually might not significantly affect the results of an appraisal, in the aggregate affect the credibility of those results.”
6. As indicated in the Findings of Fact, Mr. Skidmore, a Licensed Residential Real Estate Appraiser, violated these sections of the West Virginia Code and the Uniform Standards of Professional Appraisal Practice by using inappropriate comparables which resulted in a significant overvaluation of the properties referred to in Findings of Fact Nos. 3, 4 and 5.

CONSENT

Mr. Skidmore, 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, knowingly 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. Mr. Skidmore's license to practice real estate appraising in the State of West Virginia shall be suspended for ninety (90) days beginning on the date of the signing of this Consent Agreement. It shall be Mr. Skidmore's responsibility to notify the Board upon completion of the suspension so that the Board can reissue his license.
2. During the ninety (90) day suspension period, Mr. Skidmore shall successfully complete a 30-45 hour L-1 basic appraisal principles course before applying for reinstatement of his license.
3. Mr. Skidmore shall be on probation for one year following the suspension period.
4. Upon the completion of the ninety (90) days suspension, Mr. Skidmore shall submit quarterly to the Board a log which shall contain a listing of all appraisals completed during the one (1) year probation period. The Standards Committee will select ten (10) appraisals from the log and will choose two (2) for review, for which Mr. Skidmore shall reimburse any cost to the Board for the reviews.
5. Mr. Skidmore will remit to the Board the sum of \$1,853.11, representing administrative fees.

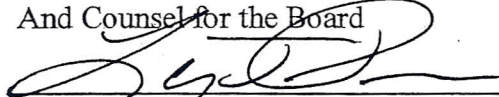
6. The Consent Agreement is a public record.
7. The Board recognizes that this Agreement is a compromise of a disputed claim and is not to be construed as an admission of liability or culpability on the part of Mr. Skidmore.



Jack Skidmore 3-26-03
Date

for 

Allen H. Loughry, II, Sr. Assistant Attorney General 3-8-03
And Counsel for the Board Date



Larry J. Puccio, Chairperson 4-2-03
Date