

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

IN THE MATTER OF:

Case Nos. 00-010B and 02-025

**Cameron A. Clower
Licensed Residential Appraiser
No. 0715**



CONSENT AGREEMENT

Comes now Cameron A. Clower, pro se, and the West Virginia Real Estate Appraiser Licensing and Certification Board (hereinafter the "Board), by counsel, Heather Connolly, Assistant Attorney General, for the purpose of agreeing to disciplinary action which shall be taken against Mr. Clower 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 is a state entity 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. Cameron A. Clower was issued a license as a Licensed Residential Real Estate Appraiser, No. 0715.
3. In connection with the preparation of appraisal reports on June 9, 2000, for real property located at Rt. 1, Box 19-A Coopers Road, Bramwell, West Virginia, and June 13, 2001, for real property located at Rt. 1, Box 376, Bluefield, West

Virginia, Mr. Clower 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. Clower violated USPAP Standards Rule 1-1-(a) through (c) by using inappropriate comparables which resulted in a significant overvaluation of these properties.

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 “[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...[v]iolation of any section of this article, 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 Standards Rule 1-1(a), (b) and (c) states: “In developing a real property appraisal, an appraiser must:
 - (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 Finding of Fact No. 3, Mr. Clower, 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 these properties.

CONSENT


Mr. Clower, by affixing his signature hereon, agrees to the following:

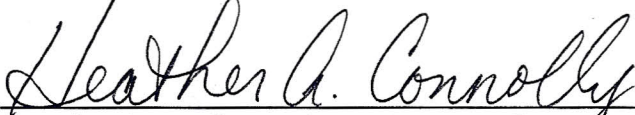
1. He acknowledges that he is aware of his option to pursue this matter through appropriate administrative and/or court channels, but intelligently, knowingly and voluntarily waives his right to do so.
2. He consents to the entry of the following Order affecting his license to practice real estate appraising in the State of West Virginia.

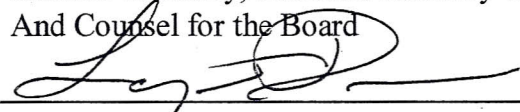
ORDER

1. Mr. Clower shall be on probation for one year beginning on the date of the signing of this Consent Agreement.
2. Mr. Clower shall submit monthly to the Board a log containing a list of all appraisals completed during the probation period. The Standards Committee will select three (3) appraisals from each log for review. The Standards Committee may send one of the three appraisals chosen for outside review, for which Mr. Clower shall reimburse any cost to the Board for the review.
3. Mr. Clower shall successfully complete a 15-hour Sales Comparison course within the first sixty (60) days of the probation period, which may be used to satisfy the continuing education requirement for the current licensing period.
4. Mr. Clower will remit to the Board the sum of \$1,057.03, representing administrative fees.
5. The Consent Agreement is a public record.

6. 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. Clower.


Cameron A. Clower
Date 5/1/03


Heather Connolly, Assistant Attorney General
And Counsel for the Board
Date 5/6/03


Larry J. Puccio, Chairperson
Date 5/5/03