

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

IN THE MATTER OF:

**GLEN W. SUTTON
Certified Residential Appraisal No. CR0254**

**ORDER OF THE WEST VIRGINIA APPRAISER
LICENSING AND CERTIFICATION BOARD SUSPENDING
CERTIFIED RESIDENTIAL APPRAISER LICENSE NO. CR0254**

NOW COMES the West Virginia Real Estate Appraiser Licensing and Certification Board (hereinafter "Board"), and pursuant to the authority vested in this office by W. Va. Code §§ 30-38-14(c) and 30-1-8(e)(1), hereby **SUSPENDS**, effectively immediately, the real estate appraiser license of Glen W. Sutton, Certified Residential Appraiser License No. CR0254. In support of the instant **ORDER**, the Board has determined that extraordinary circumstances exist wherein the continued licensure of Sutton will adversely affect the public welfare and integrity of the profession for the following reasons:

1. The Board is a state entity created by W. Va. Code § 30-38-1, *et seq.*, and is empowered to regulate, among other things, the conduct of licensed and certified real estate appraisers.
2. Sutton is a certified residential real estate appraiser licensed by the Board, holding license number CR0254.
3. The Board received a complaint, Board Complaint No. 05-012, concerning residential property appraised by Sutton located at 614 Doc Casto Road, Leon, West Virginia 25123.

4. Sutton appraised the property in October, 2005.
5. The Board submitted the complaint to the Standards Committee for review and investigation.
6. The Standards Committee investigated the complaint, and submitted Sutton's appraisal to an independent review appraiser for a Uniform Standards of Professional Appraisal Practice ("USPAP") compliance review.
7. The review appraiser opined that Sutton failed to comply with various and substantive provisions of USPAP.
8. The Board received a second complaint, Board Complaint No. 07-006, concerning residential property appraised by Sutton located at 8 McKees Creek Road, Summersville, West Virginia 26651.
9. Sutton appraised the property in March, 2007.
10. The Board submitted the complaint to the Standards Committee for review and investigation.
11. The Standards Committee investigated the complaint, and submitted Sutton's appraisal to an independent review appraiser for a USPAP compliance review.
12. The review appraiser opined that Sutton failed to comply with various and substantive provisions of USPAP.
13. In January, 2010, the Board received a third complaint against Sutton, alleging USPAP violations relating to appraisals of two residential properties.
14. Specifically, the Board received a complaint against Sutton relating to residential appraisals performed at 16562 Webster Road, Craigsville, West Virginia, and 4571 Birch River Road, Birch River, West Virginia.

15. Sutton performed the appraisals of the two residential properties in August, 2008, and July, 2009, respectively.

16. On February 2, 2010, the Standards Committee reviewed the complaint relating to the Craigsville and Birch River properties.

17. Based upon a review of the appraisals, the Standards Committee found probable cause to proceed forward with an investigation against Sutton.

18. Based upon a review of the appraisals, the Standards Committee opined that Sutton may have committed various and substantive violations of USPAP.

19. On February 3, 2010, at the Standard Committee's request, the Board conducted an emergency board meeting for the purpose of determining the proper course of action to take against Sutton's real estate appraiser license, if any.

20. During such Board meeting, the Standards Committee, based upon the review and investigation of the above-referenced complaints, the serious nature of the allegations therein, and the repetitive nature of such alleged USPAP violations within the appraisals, recommended to the Board that Sutton's real estate appraiser license be immediately suspended pending a hearing.

21. Upon all due consideration of the circumstances surrounding the matter, the Board unanimously voted to immediately suspend Sutton's license, pending a hearing, on the basis that continued practice of appraising by Sutton would constitute a danger to the public, and/or would adversely affect the public welfare.

22. In 2001, the Board suspended Sutton's license for 90 days for having committed multiple and serious USPAP violations in real estate appraisals, where such USPAP violations were similar in nature to the allegations of USPAP violations within the complaints currently pending against Sutton before the Board.

Accordingly, pursuant to W. Va. Code §§ 30-38-14(c) and 30-1-8(e)(1), Certified Residential Appraiser License No. CR0254, held by Glen W. Sutton, is hereby immediately **SUSPENDED**. The Board shall schedule and hold a hearing to determine the proper disposition of this matter. Such hearing shall be scheduled as soon as practicable in the future.

ENTERED into the records of the Board this:

11th day of February, 2010.

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

By: Sharon Knotts
**SHARRON L. KNOTTTS
EXECUTIVE DIRECTOR**

February 11, 2010
DATE

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

IN THE MATTER OF:

GLEN W. SUTTON (CR0254)

Complaint Nos.: 05-012, 07-006 and 10-004

ORDER OF DISMISSAL

On August 20, 2014, the West Virginia Real Estate Licensing and Certification Board (hereinafter referenced as the 'Board') met and considered the above-numbered complaints in conjunction with the West Virginia Supreme Court of Appeals (Supreme Court) ruling in *State of West Virginia, ex Rel. Linda York v. West Virginia Real Estate Appraiser Licensing and Certification Board*, along with West Virginia Code § 30-1-5(c).

The Supreme Court held in *York* that "in adjudicating a contested case concerning the revocation or suspension of a licensed real estate appraiser's license to perform appraiser duties, the West Virginia Real Estate Appraiser Licensing and Certification Board must follow the procedural requirements set forth in Chapter 30 of the West Virginia Code, as well as the contested case hearing procedure set forth in Title 190, Series 4, of the *West Virginia Code of State Rules*." Failure to adhere to the procedural requirements resulted in the Supreme Court ruling that the Board must dismiss all pending complaints against York. A review of the above styled-matters reveals that the procedural requirements have not been met.

ACCORDINGLY, pursuant to the ruling of the Supreme Court of Appeals in *State, ex rel York v. West Virginia Real Estate Appraiser Licensing and Certification Board*, the Board unanimously voted to dismiss Complaint Numbers **05-012, 07-006 and 10-004**.

Therefore, the above complaints are hereby **DISMISSED**.

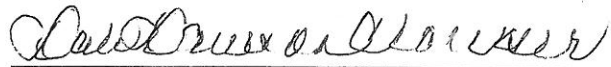
Entered this ____ day of October 2014.



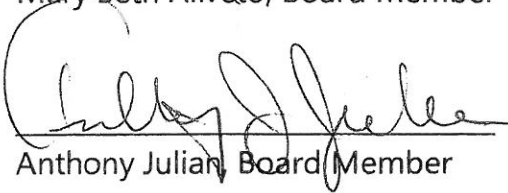
GLENN SUMMERS, INTERIM CHAIR
West Virginia Real Estate Licensing and
Certification Board



Mary Beth Aliveto, Board Member



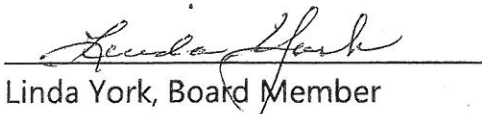
Dale Dawson Clowser, Board Member



Anthony Julian, Board Member



David Shields, Board Member



Linda York, Board Member