

BEFORE THE WEST VIRGINIA REAL ESTATE  
APPRAISER LICENSING AND CERTIFICATION BOARD



IN THE MATTER OF:

**CHAD HATCHER,**  
Certified Residential Appraiser License No. 0263

**CONSENT DECREE**

Now comes Respondent, Chad Hatcher (hereinafter "Respondent"), and the West Virginia Real Estate Appraiser Licensing and Certification Board (hereinafter "Board"), by Sharron L. Knotts, its Executive Director, for the purpose of resolving Board Complaint Number 06-004, against Respondent. As reflected in this Consent Decree, the parties have reached an agreement in which Respondent hereby agrees and stipulates to the Findings of Fact and Conclusions of Law set forth in the instant Consent Decree concerning the proper disposition of this matter, and the Board, having approved 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, among other things, the conduct of licensed residential appraisers.
2. Respondent is a certified residential real estate appraiser, holding Certified Residential Appraiser License No. 0263, through the Board.
3. Glenn Ewald was a real estate appraiser apprentice, and held Real Estate Appraiser Apprentice Permit No. 10240, through the Board.
4. During all times relevant herein, Respondent supervised Ewald in the practice of real estate appraising.

5. From approximately July 3, 2005, through July 13, 2005, Respondent had commitments that required his attendance outside of the State of West Virginia.

6. During Respondent's absence, Ewald continued to perform real estate appraisals.

7. During such time, Ewald performed real estate appraisals without the supervision of Respondent.

8. On such appraisals performed by Ewald, Respondent indicated on the appraisals that he had supervised Ewald, where Respondent had not supervised Ewald.

9. In February, 2006, Respondent had commitments that required his attendance outside of the United States of America.

10. During Respondent's absence, Ewald continued to perform real estate appraisals.

11. During such time, Ewald performed real estate appraisals without the supervision of Respondent.

12. On such appraisals performed by Ewald, Respondent indicated on the appraisals that he had supervised Ewald, where Respondent had not supervised Ewald.

13. Both Respondent and Ewald made the decision that Ewald would perform the above referenced real estate appraisals in Respondent's absence.

#### **CONCLUSIONS OF LAW**

1. Pursuant to Article 38 of Chapter 30 of the West Virginia Code, the Board is the State entity vested with the power to regulate real estate appraisers in the State of West Virginia.

2. The apprentice shall work under the direct supervision of a state licensed or state certified real estate appraiser. W. Va. Code R. § 190-2-11.6.a.

3. The appraiser supervisor shall at all times be responsible for and shall provide supervision of the work performed by the apprentice in accordance with the Uniform Standards of Professional Appraisal Practice and West Virginia Code § 30-38-1, et seq. W. Va. Code R. § 190-2-11.7.a.

4. Ewald had not been released by the Board to perform appraisals outside of the direct supervision of Respondent.

5. Pursuant to W. Va. Code §§ 30-38-12(a)(7) and 30-38-13(b), the Board may revoke, suspend, refuse to renew, or otherwise discipline the license of an appraiser, or deny an application, for any violation of any section of this article, or rule of the Board.

6. Respondent, in his capacity as a real estate appraiser supervisor, failed to adequately supervise and provide oversight to Ewald, and allowed Ewald to perform appraisals outside of the scope of Respondent's supervision, as outlined above, in violation of W. Va. Code §§ 30-38-12(a)(7), 30-38-13(b), and W. Va. Code R. §§ 190-2-11.7.a, 2-11.6.a.

#### CONSENT

Respondent, both in his individual capacity and as a certified residential real estate appraiser, by the execution hereof, agrees to the following:

1. Respondent has had the opportunity to consult with counsel and executes this Consent Decree voluntarily, freely, without compulsion or duress and mindful that it has legal consequences. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to make this settlement other than as

set forth herein. Respondent acknowledges that he is aware that he may pursue this matter through appropriate administrative and/or court proceedings, and is aware of his legal rights regarding this matter, but intelligently and voluntarily waives such rights.

2. Respondent consents to the entry of the following Order affecting his conduct as a certified residential real estate appraiser.

### **ORDER**

On the basis of the foregoing, the Board hereby ORDERS as follows:

1. The real estate appraiser license of Respondent, License No. 0263, is hereby SUSPENDED for a period of one (1) year. Respondent shall not engage in the business of real estate appraising whatsoever, either directly or indirectly, in the State of West Virginia during such period of SUSPENSION.

2. Further, the Board hereby revokes Respondent's privileges to employ and/or supervise in the State of West Virginia any real estate appraiser apprentice(s), where such revocation begins upon the effective date of the instant Consent Decree.

3. Respondent shall pay to the Board the amount of three hundred and fifty dollars (\$350.00). Such payment by Respondent shall represent the costs incurred by the Board associated with the investigation and prosecution of Complaint Number 06-004, and the subsequent reimbursement to the Board thereof. Such payment shall be paid to the Board in full within thirty (30) days of the date of entry of the instant Consent Decree.

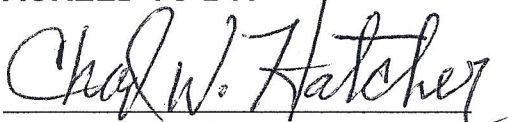
4. Any deviation from the requirements of the instant Consent Decree, without the prior written consent of the Board, shall constitute a violation of this Order, and result in the immediate suspension of Respondent's license. The Board shall immediately notify Respondent via certified mail of the specific nature of the charges, and the suspension of

Respondent's license. Respondent may request reinstatement of his license through renewal of this agreement, or execution of a new agreement, which may contain different or additional terms. The Board is not bound to comply with Respondent's request.

In the event Respondent contests any such allegations of violation of the Consent Decree, if any, which results in the suspension of Respondent's license, Respondent may request a hearing to seek reinstatement of his license. Any such hearing shall be scheduled and conducted in accordance with the provisions of West Virginia Code § 30-1-8 and § 30-38-1, *et seq.*

Further, in the discretion of the Board and in the event Respondent violates the provisions of the instant Consent Decree, the Board may schedule a hearing on its own initiative for the purpose of allowing the Board the opportunity to consider further discipline against Respondent's license.

**AGREED TO BY:**

  
CHAD HATCHER, Individually

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DATE

**ENTERED into the records of the Board this:**

1st day of June, 2007.

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

By:   
SHARRON L. KNOTTS  
EXECUTIVE DIRECTOR

June 1, 2007  
DATE