

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

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

**Complainant,**

v.

**Complaint No.: 16-003A and  
Complaint No.: 16-003B**

**AARON POLEN**

**Respondent.**

**CONSENT DECREE AND ORDER**

Now comes the West Virginia Real Estate Appraiser Licensing and Certification Board (hereinafter referenced as the Board) and Aaron Polen, (hereinafter referenced as the Respondent), for the purpose of resolving all matters relating to the pending matter between the Board and the Respondent.

As reflected in this Consent Decree, the parties have reached an understanding concerning the proper disposition of the matter in controversy. The Board, approving such an agreement does hereby Find and Order as follows:

**FINDINGS OF FACT**

1. That the Board is the State entity created by West Virginia Code § 30-38-1 *et seq.* (Appraiser Practice Act) and is empowered to regulate the practice of real estate appraising.
2. That the Respondent is a licensee of the Board, possessing license number LR0753 and is subject to the license requirements of the Board.

3. That the Board is currently investigating two complaints against the Respondent.

4. That Respondent desires to surrender his license to practice real estate appraising in the State of West Virginia and forego further litigation. *See Attachment A.*

#### **CONCLUSION OF LAW**

1. That pursuant to W. Va. Code § 30-38-1 *et seq.*, the Board regulates the practice of real estate appraising and has jurisdiction over this matter.

2. Respondent is a licensee of the Board and is subject to the license requirements of the Board.

3. Based on correspondence from the Respondent indicating that he wishes to surrender his license to the Board, the Board should accept the surrender of the license and the Respondent shall no longer be permitted to practice or engage in the profession of real estate appraising in the State of West Virginia.

4. The Respondent acknowledges that by surrendering his license in response to an investigation of a disciplinary case by the Board, the surrender will have the same effect as a revocation of his license,

5. That effective immediately upon entry of this Consent Decree and Order, Respondent's license and all his privileges to practice or engage in the profession of real estate appraising the State of West Virginia are hereby NULL and VOID.

#### **CONSENT OF LICENSEE**

The Respondent by affixing his signature hereto, acknowledge the following:

1. Respondent has been given the opportunity to consult with counsel and

executes this Consent Decree and Order voluntarily, freely, without compulsion or duress and is mindful that it has legal consequences.

2. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to enter into this Consent Decree and Order other than as set forth herein.

3. 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, knowingly and voluntarily waives such rights.

4. Respondent expressly acknowledge that the entire agreement is contained in this Consent Decree and Order and no representations, promises, or inducements have been made by or to Respondent other than as appear in this Consent Decree and Order.

5. Respondent acknowledges that this Consent Decree and Order is a public document, available for inspection at any time by any member of the public under Chapter 29B *et seq.*, of the West Virginia Code, Freedom of Information Act, and may be reported to other governmental agencies, professional Boards or other organizations.

6. Respondent waives any defense of laches, statute of limitations, estoppel and waiver that he may have otherwise claimed as a condition of this Consent Decree and Order.

7. Respondent acknowledges that this Consent Decree and Order presented to the Board as soon as practical but no later than the next scheduled meeting of the Board, with a recommendation for approval from the Complaint Committee.

8. Respondent consents to the entry of the following Order affecting his license in the State of West Virginia.

9. Respondent, by affixing his signature hereon, consents and agrees to the following terms and conditions.

**ORDER**

Accordingly, the West Virginia Real Estate Appraiser Licensing and Certification Board does hereby ACCEPT the surrender of the license of **Aaron Polen**, to practice or engage in the profession of real estate appraising in the State of West Virginia.


Therefore, it is hereby **ORDERED** as follows:

1. The license of the Respondent, **Aaron Polen** to practice real estate appraising in the State of West Virginia is hereby **NULL** and **VOID**.
2. The Respondent shall not practice or engage in the profession of real estate appraising in the State of West Virginia.
3. That should the Respondent seek reinstatement, he shall first satisfy the charges alleged in this matter.

Entered this 22<sup>nd</sup> day of June 2016.

  
\_\_\_\_\_  
GLENN SUMMERS, CHAIR  
West Virginia Real Estate Appraiser  
Licensing and Certification Board

Inspected and Approved by:

  
\_\_\_\_\_  
AARON POLEN  
Respondent