



Florida Real Estate Appraisal Board
Disciplinary Activity Report
2012

NAME	CASE NUMBER	FINAL ORDER # (BPR-)	VIOLATION AND DISCIPLINARY ACTION
Aigner, Paulette M.	2012004883	2012-04260	Port St. Lucie, FL RD 5894: Voluntary Relinquishment of License for Permanent Revocation
Andriano, Rosanne T.	2011047938	2012-04263	Coconut Creek FL RI 18589: Voluntary Relinquishment of license for Permanent Revocation
Aparicio, Luis Manuel	2010059966	2012-01537	Miami FL; RD 2972: Violation: Respondent convicted of a crime that involved fraudulent or dishonest dealings in violation of s. 475.624(5), F.S. Additionally, Respondent failed to report the conviction to the Board within 30 days after it was rendered in violation of s. 475.624(9), F.S Penalty: \$2,000 fine; \$255.75 costs; 12 months suspension, with 12 month probation to commence upon the termination of suspension; one 2-Day FREAB Meeting
Arce, Robert M	2010029699	2012-02910	Lutz, FL; RD 5785: Violation: Respondent failed to exercise reasonable diligence in developing and communicating an appraisal report in September 2008 of a Subject Property condominium conversion in Tampa, FL in violation of section 475.624(15), Florida Statutes. Respondent signed the appraisal report using an incorrect designation in violation of section 475.624(4), Florida Statutes and Florida Administrative Code 61J1-7.001. Penalty: \$1,000 fine, \$957 costs, 60 days suspension, 18 months of probation, and attendance at one 2-day FREAB meeting
Beaty, Todd G	2011048419	2012-02909	Debary, FL RI 9005: Voluntary Relinquishment of License
Black, Leon Fred	2011048347	2012-04255	Omaha NE RD 4384: Voluntary Relinquishment of License for Permanent Revocation
Bogatz, David Bruce	2011032890	2012-01507	Wellington FL RD 4544: Voluntary Relinquishment of License
Castillo, Edwin	2011049280	2012-02911	Homestead, FL RD 5003: Voluntary Relinquishment of License
Chua, Dana Faye	2011017442	2012-02913	Pelham, AL RD 4536: Voluntary Relinquishment of License
Conrad, Edwin W.	2011058747	2012-04258	Winter Springs FL RD 2977: Voluntary Relinquishment of License for Permanent Revocation
Corp, Danny Lee	2011048892	2012-04265	SW Ranches, FL RD 5923: Voluntary Relinquishment of License
Costa, Herly Guedes	2009059166	2012-00523	Coral Springs, FL; RD 5497: Violation: Respondent failed to exercise reasonable diligence in the development and communication of an appraisal report, in violation of section 475.624(15), Florida Statutes. Respondent failed to retain her appraisal records for at least 5 years, as required by Section 475.629, Florida Statutes, thus violating Section 475.624(4), Florida Statutes. Respondent failed to furnish in writing each firm or business name and address from which she operated in performance of appraisal services, as required by Sections 475.623, F.S and 61J1-7.004, Florida Administrative Code, thus violating Section 475.624(4), Florida Statutes. Respondent obstructed or hindered the investigation by failing to furnish her work file upon request, in violation of Section 475.621(1)(f), Florida Statutes. Penalty: Revocation
Cuervo, Luis E	2011039733	2012-01503	Pembroke Pines, FL RD 7095: Voluntary Relinquishment of License
Derosiers, Phillip	2011058556	2012-06062	Jensen Beach, FL RD 1831: Violations: allegedly failed to report that the property had been previously listed for sale during the twelve month period prior to the effective date of his Report. Alleged Violations: failed to exercise reasonable diligence in violation of Florida Statute Section 475.624(15) and failed to analyze all listings of the property current as of the effective date of the appraisal in violation of Rule 1-5(a) USPAP. Penalty: \$1,500 fine; \$445.40 costs
Distler, Stephen Matthew	2010024519	2012-01506	Orlando, FL RD 3362: Violation: Respondent failed to exercise reasonable diligence in developing and communicating an appraisal report in March 2006 of the Subject Property in Winter Park, Florida, in violation of Section 475.624(15), Florida Statutes. Respondent signed the appraisal report using an incorrect designation in violation of Section 475.624(4), Florida Statutes, and Rule 61J1-7.001, Florida Administrative Code. Penalty: \$1,000 fine; \$643 costs; 1 year probation; one 2-Day FREAB meeting

Ebert, Andrew	2011025130	2012-05934	Jacksonville Beach, FL RD 2375: Violation:Failed to exercise reasonable diligence in violation of Florida Statute Section 475.624(15). Respondent failed to report the correct bed and bath count for the subject property, failed to make adjustments for different room count to comparables 1, 2, 3, and 4, failed to report the correct gross living area of the subject property, failed to make adjustments for gross living area to comparables 1 and 3, made an incorrect adjustment to comparables 2 and 4 for gross living area, failed to select comparable sales which were comparable to the subject property in bed, bath, and gross living area, failed to report a prior land transfer of both comparables 2 and 3, failed to indicate the subject property had a water view, failed to adjust comparables 1 and 4 for inferior view, and used an incorrect designation. Penalty: \$1,500 fine; \$940.50 costs; 30 hours of education; two 2-day FREAB meetings
Ehrenfeld, Jim	2010044405	2012-00531	Port Charlotte, FL; RD 2282: Violation: Violation of Florida Statute Section 475.624(15) by having failed to exercise reasonable diligence in developing and preparing the appraisal report. Penalty: \$1,000 fine; \$988.35 costs; attend two 2-Day FREAB meetings; 30 hours of education above continuing education hours; 18 months probation to complete with early termination language.
Figuroa, Marta Beatriz	2011047361	2012-05857	North Miami Beach, FL RD 7067: Violation: Failed to exercise reasonable diligence in violation of Florida Statute Section 475.624(15) and failure to use an appropriate designation in violation of Florida Statute Section 475.624(4) and Florida Administrative Code Rule 61J1-7.001. Respondent stated that the appraisal was subject to completion per plans and specifications, but did not have the plans and specs in the work file and no master permit was issued, failed to note the condition of the subject property at the time of the appraisal or detail the improvements to be made, failed to state the accurate zoning classification of the subject property, and failed to use an appropriate designation. Penalty:\$2,000 fine; \$396.00 costs; one 2-day FREAB meeting; 15 hours of education; one year probation
Fisher, Mike	2011032846	2012-01498	Eustis, FL RD 3453: Voluntary Relinquishment of License
Gacrica, Luis R.	2010060248	2012-02912	West Palm Beach, FL; RI 20980: Violation: Respondent failed to comply with October 30, 2009 Final Order of the Board in case number 2008-061504 assessing costs and continuing education Penalty: Revoked; fine \$2,000; costs \$165
Gaines, Terry A.	2011048915	2012-04262	Starke FL RD 1233: Voluntary Relinquishment of License for Permanent Revocation
Gomez, Sylvia Dee	2011047640	2012-02916	Plant City, FL RD 4404: Voluntary Relinquishment of License
Gonzalez, Angel	2011007960	2012-02915	Longwood FL RD 5751: Voluntary Relinquishment of License
Haytread, Lous	2009023300	2012-01535	Ruskin FL; RD 3164: Violation: Respondent failed to exercise reasonable diligence in developing and communicating an appraisal report in May 2007 on a Subject Property in Wesley Chapel, Florida, in violation of Section 475.624(15), Florida Statutes. Penalty: Probation 1 year; fine \$2,000; costs \$1,356.30; continuing education in Land Appraisals and attend (1) two-day FREAB meeting
Heiderick, William Balmant	2011039400	2012-01502	Boca Raton, FL RI 8030: Voluntary Relinquishment of License
Hernandez, Joan	2009034563	2012-05931	Miami, FL RD 5977: Violations: failed to exercise reasonable diligence in violation of Florida Statute Section 475.624(15) by incorrectly identifying the subject property as a corner unit when it was an interior unit, failed to report superior views of comparables chosen, chose corner units as comparables; and failed to provide the Department with the business name in violation of Florida Statute Sections 475.624(4) and 475.623. Penalty: \$1,500 fine; \$1,039.50 costs; 30 hours education; two 2-day FREAB meetings; 1 year probation
Hernandez, Omar D.	2012005823	2012-02903	Miami, FL RD 6905: Voluntary Relinquishment of License for Permanent Revocation
Herrud, Michael Patrick	2011048895	2012-04264	Davie FL RI 21614: Voluntary Relinquishment of License
Hewett, Phillip McGuire	2011025136	2012-06061	Jacksonville Beach, FL RI 15202: Violation: Failed to exercise reasonable diligence in violation of Florida Statute Section 475.624(15). Respondent failed to report the correct bed and bath count for the subject property, failed to make adjustments for different room count to comparables 1, 2, 3, and 4, failed to report the correct gross living area of the subject property, failed to make adjustments for gross living area to comparables 1 and 3, made an incorrect adjustment to comparables 2 and 4 for gross living area, failed to select comparable sales which were comparable to the subject property in bed, bath, and gross living area, failed to report a prior land transfer of both comparables 2 and 3, failed to indicate the subject property had a water view, and failed to adjust comparables 1 and 4 for inferior view. Respondent also used an incorrect designation in violation of 475.624(4), Florida Statutes and Rule 61J1-7.001, Florida Administrative Code. Penalty: \$1,500 fine; \$973.50 costs; 30 hours of education; one 2-day FREAB meeting
Ignoffo, Sam	2011046184	2012-04257	Punta Gorda FL RD 814: Voluntary Relinquishment of License for Permanent Revocation

James, Matthew Scott	2011049008	2012-01500	Port St. Lucie, FL RD 976: Voluntary Relinquishment of License
Kesterson, Stephen	2011023819	2012-05856	Mt. Dora, FL RD 6051: Violations: failed to provide analysis of a prior sale of the subject property; failed to provide analysis of the sales contract; utilized developer sales but failed to use more recent, proximate comparable sales; utilized comparable sales which were listed on the MLS but withdrawn and then sold for higher prices in a declining market in violation of Florida Statute Section 475.624(15) (reasonable diligence). Used an incorrect designation in violation of Florida Statute Section 475.624(4) and Florida Administrative Rule 61J1-7.001. Failed to provide the Department with a work file, in violation of Florida Statute Section 475.629 and 475.626(1)(f) (obstruction or hindering). Penalty: Revoked
Kinel, Kevin	2011031440	2012-05855	Vero Beach, FL RD 4915: Violations: Signed an appraisal report indicating he performed an inspection of the interior and exterior of the subject property and that he prepared the conclusions that were set forth in the report; however, at no point prior to communication of the report did he perform a complete visual inspection of the interior and exterior of the subject property, in violation of Florida Statute Section 455.227(1)(m) and 475.624(4) and 475.624(15). Penalty: Suspension for 30 days; 18 months probation; \$10,000.00 fine; \$452.10 costs; 60 hours education; two 2-day FREAB meetings
Laney, Robert H.	2012012874	2012-04259	Bradenton, FL RD 90: Voluntary Relinquishment of License
Lannen, Robert E.	2008043514	2012-01504	Clearwater Beach, FL; RD 3866: Violation: Respondent, in violation of section 475.624(15), Florida Statutes, failed to exercise reasonable diligence in developing and communicating an appraisal report in March 2007 on a Subject Property in Brandon, Florida. Respondent supervised a trainee and erred in neighborhood one unit housing trends, made improper adjustments in the Sales Comparison approach, misstated the sale price of a Comparable Sale, and erred in computing Cost Approach valuation. Respondent signed the Appraisal Report using an incorrect designation in violation of section 475.624(4), Florida Statutes and Rule 61J1-7.001, Florida Administrative Code. Respondent, in violation of Section 475.624(4), Florida Statutes, failed to exercise reasonable diligence in developing and communicating an appraisal report in March 2007 on a Subject Property in St. Petersburg, Florida. Respondent made errors in the appraisal report including inconsistent adjustments, misstating bath counts, room counts, or gross living area for the Comparable Sales, and omitting prior sales of the Subject Property and certain Comparable Sales. Penalty: \$2,000 fine; \$2,000 costs
Martinez, Armando	2011004299	2012-02905	Orlando, FL; RD 7268: Violation: Respondent failed to exercise reasonable diligence in developing and communicating three appraisal reports in January 2007 on Subject Properties in Orlando and Windermere, Florida, in violation of Section 475.624(15), Florida Statutes. Penalty: \$1,000 fine; \$1,791.90 costs; 18 months probation; 30 hours education
Mejido, Joseph	2011014740	2012-01536	Miami Beach, FL RD 4381: Voluntary Relinquishment of License
Metcalfe, Jeffrey Alan	2010060245	2012-00534	Crawfordville; RD 4152: Violation: Respondent failed to comply with the Final Order in DBPR Case Number 2008-052160, thereby violating Sections 475.624(4) and 475.626(1)(b), Florida Statutes. Penalty: Revocation
Miller, Jennifer Elaine	2009021689	2012-01532	Tavernier, FL; RI 19624: Violation: Respondent failed to exercise reasonable diligence in developing and communicating an appraisal report in December 2008 of a Subject Property in Islamorada, Florida in violation of Section 475.624(15), Florida Statutes. Penalty: \$250 fine; \$231 costs; 1 year probation; one 2-Day FREAB meeting
Miller, Robert A	2011038390	2012-05859	Sarasota, FL RD 6137: Violation: Respondent entered into a stipulation for violation of section 475.624(15), F.S., for failure to use reasonable diligence, Rule 61J1-9.001, F.A.C. for failure to comply with 2006 USPAP Standards, and Rule 61J1-7.001, F.A.C., for failure to use proper designation in an appraisal report, in that Respondent failed to disclose a previous sale of Subject Property, failed to disclose \$18,000 worth of sales concessions for a comparable sale, and created neighborhood boundaries that did not surround Subject Property. Additionally, Respondent failed to use the proper designation in the appraisal report. Penalty: \$2,000 fine plus costs; 30 hours of education; one 2-day FREAB meeting; 30 day suspension
Moralobo, Anthony Edward	2011008515	2012-01509	Largo, FL RI 6018: Voluntary Relinquishment of License

Reifsnnyder, Scott David	2008043513	2012-01645	Brandon, FL; RD 7685: Violation: Respondent, while a trainee appraiser, in violation of Section 475.624(15), F.S., failed to exercise reasonable diligence in developing and communicating an appraisal report in March 2007 on a Subject Property in Brandon, Florida. Respondent erred in neighborhood one unit housing trends, made improper adjustments in the Sales Comparison approach, misstated the sale price of a Comparable Sale, and erred in computing Cost Approach valuation. Penalty: \$1,000 fine; \$1,000 costs; 1 yr probation; one 2-Day FREAB meeting
Reimold, Robert John	2010032163	2012-01531	Transfer, PA; RD 3938: Violation: Respondent was disciplined by the Commonwealth of Pennsylvania, Bureau of Occupational Affairs. Respondent was required to pay fines to the Bureau in February 2006 and August 2007. Respondent was also disciplined by the Bureau in his preparation of an appraisal report in November 2007, in which he incurred additional fines, costs, education, a 24 month suspension and 2 years probation. The final order was entered, and the Respondent's suspension was subsequently terminated in June 2010. Therefore, Respondent violated Section 475.624(6), Florida Statutes by having a license suspended or acted against in any other state. Penalty: \$1,000 fine; \$792 costs
Rosendale, Patricia Ann	2009021687	2012-01534	Tavernier, FL; RD 590: Violation: Respondent failed to exercise reasonable diligence in developing and communicating an appraisal report in December 2008 of the Subject Property in Islamorada, Florida in violation of Section 475.624(15), Florida Statutes. Respondent signed the appraisal report using an incorrect designation in violation of Section 475.624(4), Florida Statutes, and Rule 61J1-7.001, Florida Administrative Code. Penalty: \$1,000 fine; \$297 costs; 1 year probation; one 2-Day FREAB meeting
Scola II, Lawrence James	2011015468	2012-01505	Palm Coast FL RD 7630: Voluntary Relinquishment of License
Sherman, Alan S.	2011010647	2012-01508	Sarasota, FL RD 4738: Violation: Respondent represented in the subject appraisal that MLS was used for data research, but later indicated that MLS was not used. In the subject appraisal, Respondent failed to make an adjustment to Comp 3 for superior lot size or explain why an adjustment was not made, failed to report that Comp 4 was located on a canal or adjust for location, and failed to make an age adjustment to Comp 4 or explain why an adjustment was not made. Respondent provided a workfile to the Department which did not include adequate data to support his opinions and conclusions made in the subject appraisal. Respondent also failed to use a proper designation. Finally, as a result of two previous final orders issued by the FREAB, Respondent had been found guilty a second time of conduct that warranted disciplinary action. Penalty: Revocation
Smith, William DeWitt	2010060017	2012-02906	St. Augustine FL RI 14462: Voluntary Relinquishment of License
Soto, Pablo Andres	2008051899	2012-05858	Pembroke Pines, FL RD 6441: Violation: Respondent entered into a stipulation for violation of section 475.624(15), Florida Statutes, for failure to use reasonable diligence, in that Respondent failed to retain for at least five (5) years, original and true copies of any supporting documentation assembled in preparation of an appraisal report. Penalty: \$1,000 fine plus costs; 1 year probation; 30 hours of education; one 2-day FREAB meeting.
Valinotti, Antolin H. Garcia	2009043616	2012-05852	Hollywood, FL RD 3291: Violation: failed to indicate the correct contract concessions; failed to indicate the type of roof surface; failed to indicate why the value conclusion was higher in value than the prior sale price; failed to report a discrepancy in bedroom and bath counts for comparables 2 and 4; failed to select comparables that were comparable to the subject property in violation of reasonable diligence pursuant to Florida Statute Section 475.624(15). Failed to utilize a correct designation in violation of Florida Statute Section 475.624(4) and 475.622 and Florida Administrative Rule 61J1-7.001. Penalty: Revoked
Vazquez, Ariel James	2010051944	2012-05933	Orlando, FL RD 6669: Violation: Failed to exercise reasonable diligence in violation of Florida Statute Section 475.624(15) by failing to retain a complete work file for the subject appraisal, failing to adjust for a pool, failing to recognize differentials in the appraisal of the subject property on a barrier island with no road access and comparables on a barrier island with road access, and failing to adjust comparables for superior accessibility. Penalty: \$2,000 fine; \$792.00 costs; 30 day suspension; 15 hours of education; one year probation
Via, James F.	2011030666	2012-01501	Auburndale, FL RD 4351: Voluntary Relinquishment of License
White, Marcus L	2010036131	2012-014899	Jacksonville, FL RD 6822: Violation: Violation of Florida Statute Section 475.624(15) by having failed or refused to exercise reasonable diligence in developing and preparing the appraisal report; violation of Florida Statute Section 455.228(1)(m) when he made "deceptive, untrue or fraudulent representations in or related to the practice of a profession" in the development and communication of the report. Penalty: \$1,000 fine; \$1,557.60 costs; 12 months probation; satisfactorily complete 30 hours education; attend one 2-day FREAB meeting

Whittington, Patricia J	2009030578	2012-01533	<p>Labelle, FL: RZ 2535: Violation: Respondent neither admits nor denies the allegations as stated in the Administrative Complaint. The Administrative Complaint alleged that Respondent failed to adequately analyze the market or explain significant adjustments. The Administrative Complaint further alleged that Respondent failed to exercise reasonable diligence in violation of Section 475.624(15), Florida Statutes.</p> <p>Penalty: Stipulation; 12 months probation subject to early termination; \$2,000 fine; \$445.50 investigative costs; 30 hours of education, which must include a Subdivision Analysis course; and attendance at two 2-Day FREAB meetings</p>
Wickes, Lori Ann	20110473939	2012-05853	<p>Port Charlotte, FL: RI 6889: Violation: Respondent failed to adequately describe the listing history for the Subject Property. Listed the incorrect bath and bedroom counts for various comparables. Failed to include a photo for comp. 2. Failed to put the correct designation. Respondent violated Sections 475.624(15), and 475.624(4), Florida Statutes, by failing to comply with USPAP, exercise reasonable diligence, and failing to use a proper designation. Penalty: Revocation</p>
Zamudio, Juan Camilo	2009001713	2012-00520	<p>Miami FL, RD 7716: Violation: Respondent, as a trainee, unable to produce work file upon Department request in violation of Florida Statute Section 475.629; and failed to analyze/reconcile a prior sale of the subject property and explain the discrepancy in contract price versus the MLS list price for the subject property in violation of Florida Statute Section 475.624(15).</p> <p>Penalty: Probation 1 year; fine \$2,000; costs \$495; continuing education- 30 hrs of appraiser classroom education, and two 2-day FREAB general meetings</p>