

**FLORIDA REAL ESTATE APPRAISAL BOARD
DISCIPLINARY ACTIVITY REPORT
2014**

NAME	CASE NUMBER	LICENSE NUMBER	VIOLATION AND DISCIPLINARY ACTION
Avvisati, Joseph	2013-018821	RD 5890	Dearborn, MI: Respondent violated Florida Statutes 475.624(4) and 475.626(1)(a) by developing and communicating an appraisal report while his license was not valid and current. Respondent also violated Florida Statute 475.624(4) and Florida Administrative Code Rule 61J1-7.001(1) by failing to use a proper designation. Penalty: costs of \$429.00. Effective: 3/7/2014.
Bobick, Stephen A.	2013-051255	RD 4736	Land O' Lakes, FL: Respondent violated Florida Statutes 475.624(4) and 475.624(15) and Florida Administrative Code Rule 61J1-9.001 by developing and communicating four appraisal reports in which he used comparable sales located in an inferior area located across a railway which was a dividing line between neighborhoods. Respondent did not make appropriate location adjustments. By stipulation, respondent agreed to the following penalty: 15 day suspension; administrative fine of \$2000; costs of \$787.50; attendance at 2 complete meetings; 45 hours of education to include a sales comparison approach course; 6 months of probation with no early termination. Effective: 11/14/2014.
Carroll, Patricia Ann	2013-039363	RD 7016	Plantation, FL: Respondent violated Florida Statutes 475.624(15) and 475.624(4) by developing and communicating an appraisal to her client that failed to note that comparables 1 and 2 had unobstructed views of the beach while the subject property, at best, had a partial view of the beach. Respondent failed to make an adjustment or provide an explanation for no adjustment with regard to the direct ocean views of comparables 1 and 2. Penalty: revocation. Effective: 09/11/2014.
Cesar, Erick Antonio	2013-051619	RD 5356	Hollywood, FL: Respondent violated Florida Statute 475.624(4) and Florida Administrative Code Rule 61J1-9.001 by violating USPAP Standard Rule 1-1(b) by making a substantial error that significantly affected his conclusion of value. Respondent developed an communicated a desktop appraisal report in Lake Worth, Florida. He misstated the GLA in his initial report and chose comparables based on the incorrect GLA. He then adjusted the GLA and his opinion of value, but failed to pick new comparables or adjust his original comparables for the correct, smaller, GLA. Penalty: administrative fine of \$2,000.00; costs of \$445.50; 30 hours of education; 18 months of probation with early termination. Effective: 09/11/2014.
Coleman, Marcy R.	2013-011456	RD 3785	Newberry, FL: Respondent neither admits nor denies that she violated Florida Statute Section 475.624(15) for failure to utilize due diligence and Florida Administrative Rule 61J1-9.001, by allegedly failing to use appropriately near and similar enough comparables in the appraisal of a single family residence in Gainesville. By amended stipulation, Respondent was placed on probation for a period of 12 months; administrative fine of \$1,500; costs of \$960.30; 45 hours of education (30 hours must be the principles and procedures course, 15 hours the sales comparison course); attendance at two complete FREAB meetings. Effective: 07/01/2014
Craig, Stephen Earl	2014-003816	RZ 872	Deerfield Beach, FL: Respondent violated Florida Statutes 475.624(4), 455.227(1)(m), and 475.624(15) and Florida Administrative Code Rules 61J1-9.001 and 61J1-7.001. Respondent falsely certified that he personally performed an interior and exterior inspection of the subject property when he in fact sent an unlicensed person to perform the inspections. Respondent also failed to use a proper designation. Penalty: 15 day suspension; administrative fine of \$1000; costs of \$730.50; attendance at 1 complete meeting; 6 months of probation with no early termination. Effective: 11/14/2014.

Emmanuel, John Paul	2012-051555	RD 5456	Seminole, FL: Respondent violated Florida Statutes Section 475.624(15) by not exercising reasonable diligence in preparation and communication of an appraisal report and USPAP Rule 1-1c for committing a series of error which resulted in an appraisal report that could not be relied upon. Respondent gave a 25 year effective age to a 68 year old property without analysis, did not analyze oversupply even though there were 37 comparable properties for sale in the neighborhood, used unspecified local builder estimates for replacement cost new, provided a 40 year estimate for remaining economic life for the appraised property without analysis, did not make gross living area adjustments on some comparables, did not explain how the current landlord was able to command \$1,200 per month for the home when the market rate was \$950 per month, and did not substantiate or analyze homeowner expenses to justify the figure cited. Penalty: administrative fine of \$1,000.00; costs of \$544; 15 hours of education; attendance at one complete FREAB meeting; 18 months of probation with early termination. Effective: 09/12/2014.
Evans, Eric Paul	2012-038045	RD 3853	Winter Park, FL: Respondent violated Florida Statute Section 475.624(15) by failing to exercise reasonable diligence by making several errors and omissions including incorrectly reporting the floor of the subject property, incorrectly reporting the number of floors of the subject complex, using developer sales without proper verification, failing to disclose a high number of short sale or bank owned listings within the complex, incorrectly reporting a comparable sale date, and incorrectly reporting bed and bath counts for two comparable sales. The Administrative Complaint further alleges that Respondent incorrectly reported the real estate taxes of the subject property, incorrectly reported that the market was stable, failed to make date of sale adjustments to comparable sales, incorrectly reported that demand and supply were in balance, incorrectly listed the view of the subject property, and made improper view adjustments to two of the comparable sales. By stipulation, Respondent agreed to the following penalty: administrative fine of \$750.00; costs of \$597.63; attendance at 3 complete FREAB meetings; 15 hours of education; 18 months of probation with early termination. Effective: 06/26/2014.
Evans, Lincoln Paul	2013-032710	RI 4699	Palm Harbor, FL: Respondent violated Florida Statute Section 475.624(4) by failing to comply with a previous Final Order issued by the FREAB. Penalty: Revocation. Effective: 06/26/2014
Figueroa, Marta Beatriz	2013-047522	RD 7067	N. Miami Beach, FL: Settlement agreement to voluntarily relinquish license for permanent revocation. Effective: 5/13/2014.
Gilmore, Roberto J. Jr.	2013-026042	RD 4451	Miami, FL: Respondent violated Florida Statute Sections 455.227(m), 475.624(1), 475.624(2) and 475.624(3) by making deceptive, untrue and fraudulent representations related to the practice of a profession; fraud and dishonest dealing; and advertising services in a manner that is false, deceptive or misleading in that Respondent pursuant to a solicitation of an AMC to be placed on an approved list, misrepresented Errors and Omissions declarations pages with knowledge that the policies were not valid. By stipulation, Respondent agreed to the following penalty: 3 months of suspension; administrative fine of \$1,000; costs of \$651.75; attendance at 1 complete FREAB meeting; 18 months of probation with early termination. Effective: 06/26/2014.
Goodliffe, Cubitt B.	2013-035978	RD 4952	Dunedin, FL: Respondent violated Florida Statutes 475.624(4), 455.227(1)(m), and 475.624(15) and Florida Administrative Code Rule 61J1-9.001 by performing two exterior only inspections in which she failed to notice or disclose fire damage to the subject property. By stipulation, respondent agreed to the following penalty: 30 day suspension followed by 12 months of probation with no early termination; administrative fine of \$2000; costs of \$462; attendance at 1 complete meeting; 30 hours of education to include a 15 hour USPAP course. Effective: 11/14/2014.

Haugabrooks, Sherrard Abdul	2013-028722	RD 4854	Altamonte Springs, FL: Respondent violated Florida Statute Section 475.624(4) for failure to timely pay a citation. Effective: 3/7/2014 no revocation; \$1,214.40 in costs within 30 days; 1 complete FREAB meeting within 6 months. Effective: 11/14/2014
Henderson, Robert L.	2011-048872, 2012-020559	RD 1175	Tampa, FL: Respondent violated Florida Statute Section 475.624(4) and Florida Administrative Code Rule 61J1-7.001 by failing to disclose and display the appropriate designation on a communicated appraisal report. By stipulation, respondent agreed to the following penalty: administrative fine of \$750.00; attendance at 1 complete FREAB meeting; 18 months of probation with early termination. Effective: 06/26/2014.
Kaminski, Kenneth Charles	2013-027885, 2013-027898, 2013-027890	RD 5193	Boca Raton, FL: Settlement agreement to voluntarily relinquish license for permanent revocation. Effective: 09/11/2014.
McCalip, Robert P.	2013-014569	RD 2819	Ocala, FL: Settlement agreement to voluntarily relinquish license for permanent revocation. Effective: 3/11/2014.
Natal, Crystal A.	2014-007959	RH 129	Orlando, FL: Settlement Agreement to Voluntarily Relinquish License for Permanent Revocation. Effective: 11/14/2014
Papajohn, Gregory Carroll	2013-026749	RD 5986	Gulf Breeze, FL: Respondent neither admits nor denies that he violated Florida Statute 475.624(2) by allegedly sending trainee to do an inspection, measure the subject property, and falsely certifying that he had personally done so. Respondent neither admits nor denies that he violated Florida Statute 475.624(4) and Florida Administrative Code Rule 61J1-9.001 by allegedly failing to comply with USPAP, and Florida Statute 475.624(15) by failing to exercise reasonable diligence, when he failed to personally inspect the subject property and falsely certified that he had inspected. Finally, Respondent neither admits nor denies that he violated Florida Statutes 475.624(4) and 455.227(1)(m) by allegedly making an untrue statement related to practice when he falsely certified that he had personally performend an inspection of the subject property. By stipulation, respondent agreed to the following penalty: administrative fine of \$3,000.00; costs of \$1,970.10; attendance at two complete FREAB meetings; and 18 months of probation with early termination. Effective: 09/11/2014.
Pomerantz, Seph	2014-000215	RD 1484	Margate, FL: Respondent violated Florida Statutes 475.624(16), 475.624(4), and 475.629 by accepting payment for an appraisal, failing to communicate the appraisal, and failing to return the payment. Penalty: revoked. Effective: 11/14/2014.
Porcelli, Arthur Richard III	2014-008801	RD 5293	Neptune Beach, FL: Respondent neither admits nor denies that he violated Florida Statutes 475.624(4) and 455.227(1)(t) by allegedly failing to timely self-report a plea to a crime in any jurisdiction within 30 days. By stipulation, respondent agreed to the following penalty: administrative fine of \$250.00; costs of \$280.50; and attendance at 1 complete FREAB meeting. Effective: 09/11/2014.
Shively, II Darrell E.	2014-005684	RD 7151	Omaha, Nebraska: Respondent violated Florida Statute 475.624(6) by having his license acted against in another state. Penalty: costs of \$375.25 to be paid within 6 months; 6 months of probation with early termination. Effective: 11/14/2014.
Truax, John B.	2013-013741, 2013-013765, 2013-013772	RD 6146	Boynton Beach, FL: Respondent neither admits nor denies violating Florida Statute Section 475.624(15) and 475.624(2) by utilizing almost exclusively developer sales, with inadequate third-party verification, in three appraisal reports for units located in the same condominium complex. By stipulation, Respondent agreed to the following penalty: administrative fine of \$4,000; costs of \$1,427.25; attendance at two complete FREAB meetings; 30 hours of education. Effective: 06/27/2014.

Vargas, Junior	2013-015796	RD 7653	<p>Miami, FL: Respondent violated Florida Statutes 475.624 (14) and 475.6224(15), for violating USPAP and failing to exercise due diligence by developing and communicating an appraisal report in Coral Gables, Florida which contained numerous errors, including improperly reporting the correct zoning classification, improperly describing the roof and incorrectly representing the lot size of a comparable . By stipulation, respondent agreed to the following penalty: administrative fine of \$1,500.00; costs of \$471.90; attendance at 2 complete FREAB meetings; 30 hours of education; 18 months of probation with early termination.</p> <p>Effective: 3/7/2014.</p>
Wiltse, Jerry	2014-001815	RD 2331	<p>Kissimmee, FL: Respondent violated Florida Statutes 475.624(4) and 475.624(15) and Florida Administrative Code Rule 61J1-9.001 by incorrectly reporting the actual age of the subject property and using the incorrect age to set comparable search parameters thereby excluding similarly aged homes from the comparable pool. Respondent failed to note or make adjustments for the large discrepancy in age between the subject property and comparables. By stipulation, respondent agreed to the following penalty: 15 day suspension, administrative fine of \$2000; costs of \$1000; attendance at 1 complete meeting; 45 hours of education; 18 months of probation. Effective: 11/14/2014.</p>