



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

2018

NAME	CASE NUMBER	LICENSE NUMBER	VIOLATION AND DISCIPLINARY ACTION
Caballero, Luis M.	2017-044283	RD 579	Pompano Beach, FL: Respondent allegedly violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by allegedly failing to comply with USPAP Record Keeping Rule. By stipulation, Respondent agreed to the following penalty: administrative fine of \$1,000; investigative costs of \$1,000; attendance at 1 complete FREAB meeting; 19 hours of corrective education; 12 months to complete; may retain status as supervisory appraiser while compliant. Effective: 12/14/2018.
Caton, Bernard Wayne	2017-060900	RZ 1053	Winter Haven, FL: Respondent violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by failing to comply with numerous USPAP Standards and Rules which led to a series of errors and omissions in an appraisal report that affected the credibility of the report; by failing to comply with Section 475.624(15), Florida Statutes by failing to exercise reasonable diligence in developing and reporting an appraisal assignment, and by failing to comply with Section 475.623, Florida Statutes, by failing to provide the Department with his current business name and address for appraisal services. Penalty: investigative costs of \$816.75; complete a 4 hour FNMA Appraisal Guidelines course within 90 days; probation for 12 months. Effective: 12/14/2018.
Eilen, Gary S.	2017-035563	RZ 2089	Palm Bay, FL: Respondent violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by failing to comply with various USPAP Standards Rules by signing a certification indicating personal inspection of Subject Property; Section 475.623, Florida Statutes, for failing to furnish the Department the business name; and Section 475.624(4), Florida Statutes in conjunction with Rule 61J-7.001, Florida Administrative Code, for designation. Penalty: 30 days of suspension; administrative fine of \$4,000; investigative costs of \$783.75; complete a 4 hour specified appraisal education course. Effective: 12/14/18.
Finch, Kimberly Marie	2017-008893	RD 7174	Fleming Island, FL: Respondent violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by failing to comply with USPAP Standards Rules for a series of errors in an appraisal report that affected the credibility of the report; by failing to comply with USPAP Standards Rule 2-3 and 2-1(b), Section 455.227(1)(m) Florida Statutes by failing to acknowledge the significant assistance in developing the appraisal report by the person who inspected the interior of the Subject Property; by failing to comply with Section 475.629, Florida Statutes, for failing to keep a complete workfile; and Respondent also violated Section 475.624(15), Florida Statutes, for failing to use reasonable diligence in an appraisal report. Penalty: administrative fine of \$4,000; investigative costs of \$2,168.10; complete 30 hours of appraisal education including The Appraisal Foundation Corrective Courses "Report Certifications: What am I Signing and Why" and "Residential Report Writing vs. Form Filling"; attendance at one complete FREAB meeting; 12 months of probation with early termination. Effective: 02/23/2018.
Hutchcraft, Richard Lee	2017-011711	RD 5149	Cocoa, FL: Respondent neither admits nor denies that he violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by allegedly failing to comply with various USPAP standards rules; Section 475.614(15) by allegedly failing to exercise reasonable diligence. By stipulation amended by the Board: administrative fine of \$3,500; investigative costs of 947.75; complete 36 hours of specified appraisal education; attendance at one complete FREAB meeting; probation for 12 months subject to early termination. Effective: 1/11/2019
Kellner, Peter Alan	2017-056151	RD 7367	New York, NY: Respondent entered a plea of guilty and was adjudicated guilty of violating 26 US Code Section 7201, a federal felony criminal statute for tax evasion. Respondent violated Section 455.227(1)(t), Florida Statutes, by failing to report to the Department in writing within 30 days of being convicted of the crime; Respondent violated Section 475.624(9), Florida Statutes by failing to report to the Department in writing within 30 of being convicted of the felony crime; Respondent violated Section 475.624(5), Florida Statutes by being convicted of a crime involving fraud. Penalty: administrative fine of \$3,000; investigative costs of \$585.75, attend 2 complete FREAB meetings; attend a business practice and ethics course; probation for 12 months. Effective: 12/14/2018.

Lanoué, James	2017-021729; 2017021730; 2017-021731	RD 5961	Ocoee, FL: Violation: Florida Statutes 475.624(4) by violating Rule 61J1-9.001, Florida Administrative Code, through violations of USPAP Standards and Recordkeeping Rule; by failing or refusing to exercise reasonable diligence in developing or preparing an appraisal report. Penalty imposed: \$6,000.00 fine; investigative costs of \$775.50 and \$877.17; attend two complete FREAB meetings in addition to the discipline imposed in Final Orders filed in DBPR Case Numbers 2017-021730 and 2017-021731. Thirty-day suspension and probation of 12 months; suspension and probation are to run concurrent with the discipline imposed in Final Orders filed in DBPR Case Numbers 2017-021730 and 2017-021731. Effective Date: 10/22/2018
Lanoué, James Francis	2018-047410	RD 5961	Ocoee, FL: Settlement Agreement to Voluntarily Relinquish License for Permanent Revocation. Effective: 12/14/18.
Long, Juan Bufron	2016-040840	RD 7459	Land 'O' Lakes, FL: Respondent neither admits nor denies he violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by allegedly failing to comply with USPAP Standards Rules by failing to use recognized methods and techniques regarding comparable sales; for reconciliation; for analyzing the sale of Subject Property; and workfile. Penalty: administrative fine of
MacLaughlin, Mark	2017-027750	RZ 3053	Orlando, FL: Violation: Florida Statutes 475.624(4) by violating Rule 61J1-9.001, Florida Administrative Code, through violations of USPAP Standards and Ethics Conduct Rule; Section 475.624(15) by failing or refusing to exercise reasonable diligence in developing or preparing an appraisal report. Penalty imposed: \$2,000.00 fine; investigative costs of \$2,000.00; attend 34 hours of education including but not limited to a 15 hour National USPAP Course and three specified corrective courses; attend 1 complete FREAB meeting; and probation of 12 months. Effective Date: 10/22/18
Maltigliani, Stephen	2017-031663	RZ 952	Orlando, FL: Florida Statutes 475.624(4) by violating Rule 61J1-9.001, Florida Administrative Code, through violations of USPAP Standards and Ethics Conduct Rule; Florida Statutes 455.227(1)(m) and 475.624(15) by failing or refusing to exercise reasonable diligence. Penalty imposed: \$8,000.00 fine; \$2,112.00 costs; the four Appraisal Foundation corrective courses; attend three complete FREAB meetings; probation of 12 months. Effective Date: 10/22/18
Martinez, Armando Xavier	2018-005477	RD 7268	Orlando, FL: Respondent neither admits nor denies he violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by allegedly failing to comply with USPAP Standards Rules by failing to use recognized methods and techniques regarding comparable sales; allegedly committed substantial errors of omission and render appraisal services in a careless or negligent manner. By stipulation amended by the Board: administrative fine of \$5,000; investigative costs of \$1,008.15; complete 41 hours of specified appraisal education; probation for 12 months subject to early termination. Effective: 12/14/18.
Millman, Leonard	2017-004090	RD 3128	Orlando, FL: Violation: Florida Statutes 475.624(4) by violating Rule 61J1-9.001, Florida Administrative Code, through violations of USPAP Standards and Recordkeeping Rule and 475.624(15) by failing or refusing to exercise reasonable diligence in developing or preparing an appraisal report; 475.624(4) and Florida Administrative Code 61J1-7.001 for improper display of designation and number. Penalty imposed: \$2,000.00 fine; investigative costs of \$1,133.55.00; attend 35 hours of education including classes in the sales comparison approach and The Appraisal Foundation Course Residential Report Writing vs. Form Filling; attend 1 complete FREAB; probation of 12 months. Effective Date: 10/22/18
Remie, Peter S.	2018-022763	RD 3252	Pinellas Park, FL: Respondent violated Section 475.624(4), Florida Statutes, by failing to follow a final order of the FREAB. Penalty: revocation of license. Effective: 12/14/18.
Saunders, Joseph W.	2017-014045	RZ 3554	Apopka, FL: Respondent allegedly violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by allegedly failing to comply with USPAP Standards Rule 2-3 by signing a misleading certification. By stipulation amended by the Board, Respondent agreed to the following penalty: administrative fine of \$2,500; investigative costs of \$635.25; attendance at 2 complete FREAB meetings; 23 hours of corrective education; 12 months probation subject to early termination. Effective: 12/14/2018.

Sudjak, Paul	2016-033400	RD 6637	West Palm Beach, FL: Respondent violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by failing to comply with USPAP Standards Rules for a series of errors in an appraisal report that affected the credibility of the report; and by failing to report Subject Property characteristics including the impact of an airport and an airport overlay as well as a pond and structure located on the Subject Property. Respondent also violated Section 475.624(15), Florida Statutes, for failing to use reasonable diligence in an appraisal report. Penalty: administrative fine of \$1,500; investigative costs of \$1,584; complete 30 hours of appraisal education including : a 15-Hour course with market analysis and highest and best use and the Appraisal Institute class entitled "Residential Report Writing and Case Studies"; attendance at one complete FREAB Meeting; 12 months of probation with early termination. Effective: 02/23/2018.
Wachtstetter, Thomas Richard	2016-021018	RZ 451	Coral Springs, FL: Respondent neither admits nor denies that he violated Rule 61J1-9.001, Florida Administrative Code, and therefore Section 475.624(4), Florida Statutes, by allegedly failing to comply with USPAP Standards Rule 2-3, by failing to acknowledge the significant assistance in developing the appraisal report by the person who inspected the interior of the Subject Property, and allegedly Rule 61J-7.001, Florida Administrative Code for designation. Penalty: administrative fine of \$1,250; investigative costs of \$1,300; complete 35 hours of appraisal education; attendance at one complete FREAB meeting; 12 months of probation with early termination. Effective: 03/07/2018.