

1 **BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE**
2 **STATE OF NEVADA**

3 SHARATH CHANDRA, Administrator,
4 REAL ESTATE DIVISION,
5 DEPARTMENT OF BUSINESS AND
6 INDUSTRY,
7 STATE OF NEVADA,

8 Petitioner,

9 vs.

10 ALFONSO CAMINO
(License No. A.0001257-CR),

11 Respondent.

Case No. 2017-989, AP17.032.S

**STIPULATION AND ORDER FOR
SETTLEMENT OF DISCIPLINARY
ACTION**

FILED

APR 06 2023

NEVADA COMMISSION OF APPRAISERS
Meallo

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13 This Stipulation and Order for Settlement of Disciplinary Action (the "Stipulation")
14 is entered into by and between the State of Nevada, Department of Business and
15 Industry, Real Estate Division ("the Division"), through its Administrator Sharath
16 Chandra ("Petitioner"), by and through their attorney of record, Phil W. Su, Senior
17 Deputy Attorney General, and Respondent Alfonso Camino ("RESPONDENT").

18 The RESPONDENT, at all relevant times mentioned in the Complaint, was
19 licensed by the Division as a Certified Residential Appraiser and, therefore, is subject to
20 the Jurisdiction of the Division and the Commission and the provisions of NRS 645C and
21 NAC Chapter 645C.

22 **JURISDICTION**

23 The Respondent was at all relevant times mentioned in this Complaint licensed by
24 the Division as a Certified Residential Appraiser under license number A.0001257-CR,
25 and therefore, is subject to the Jurisdiction of the Division and the provisions of NRS and
26 NAC Chapter 645C. By availing himself of the benefits and protections of the laws of the
27 State of Nevada, the Respondent has submitted to the jurisdiction of the Division.

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SUMMARY OF FACTUAL ALLEGATIONS

1. The Respondent is currently licensed by the Division as a Certified Residential Appraiser, License No. A.0001257-CR, with an expiration of September 30, 2023.

2. On or about May 31, 2017, the Division received a complaint/statement of fact from Complainant Kim Alexander, asserting that Respondent completed an estate settlement appraisal ("Respondent's Appraisal Report") with false, inaccurate, and/or incorrect data, resulting in a low valuation.

3. The complaint/statement of fact asserted that the Respondent's Appraisal relied upon old appraisal data that did not reflect architectural changes made to the property, including conversion of a two-car garage into a family room and 3rd full bathroom, among other alleged omissions and disregarded data; and that the report was produced two days after the death of the decedent, which occurred on January 22, 2017.

4. The complaint/statement of fact received by the Division contained a copy of Respondent's Appraisal Report, which contained handwritten annotations by the Complainant in support of her statement of fact.

5. A second appraisal of the property was performed on May 15, 2017, by another appraiser, Vance Randall, at the request of, and paid for by, Complainant.

6. The Division notified Respondent of the complaint/statement of fact and its subsequent investigation by correspondence dated May 31, 2017, wherein the investigator requested Respondent's response and entire workfile.

7. The Respondent timely responded to the complaint/statement of fact on June 9, 2017, asserting that the complaint/statement of fact was centered primarily upon a family dispute rather than home value; that the county record is "very supportive of the basic home information... provided in [his] report"; that the condition of the property warranted an adjustment in relation to the selected comparables, all of which had been updated and renovated; and that Vance Randall's May 2017 appraisal was performed months later and was not a retrospective appraisal, such that it was not comparable to

1 Respondent's Appraisal Report.

2 8. Attached to his response, the Respondent provided a clean copy of the
3 Respondent's Appraisal Report, as well as a copy of Randall Vance's subsequent
4 appraisal.

5 9. The Respondent's Appraisal Report of the property located at 1220 Cheyenne
6 Ct., Boulder City, NV 89005, APN 186-09-712-041 ("Property"), identified the property as
7 a single story, 1557 sq. ft, 3 bedroom, 2 bathroom home; stated that that the intended use
8 of the Report was for "Estate Settlement;" and contained a value conclusion for the
9 Property at \$205,000.00 effective January 24, 2017.

10 10. Page 1 of Respondent's Appraisal Report notes that the property is in
11 "average condition," that "[w]ater heater has no straps," and refers to an attached
12 addendum.

13 11. The addendum states, under "Clarification of Intended Use and Intended
14 User," that the Intended User of this appraisal report is "Atty. Bruce Woodbury (the
15 attorney for the estate of the deceased owner) and their assignees," and that the intended
16 use of the appraisal was for a "mortgage finance transaction."

17 12. The property photographs, floorplan sketch, and hand-drawn sketches
18 attached to Respondent's Appraisal Report only identified two (2) bathrooms.

19 13. The subsequent Appraisal Report performed by Randall Vance at the
20 request of Complainant identified the property as containing 1566 sq. ft of livable space
21 and containing three (3) bathrooms; and contained a value conclusion for the Property at
22 \$235,000.00, effective May 15, 2017.

23 14. Following the Division's investigation, the Division determined that the
24 evidence collected showed potential violations of USPAP and recommended the case for
25 presentation before the Appraisal Advisory Review Committee.

26 15. The Appraisal Advisory Review Committee convened on April 13, 2021 to
27 consider the case but the Division but was unable to contact the Respondent. Accordingly,
28 the Division recommended this case to the Nevada Commission of Appraisers of Real

1 Estate ("Commission") for filing of a formal complaint against Respondent.

2 **SUMMARY OF VIOLATIONS OF LAW**

3 **ALLEGED IN THE COMPLAINT**

4 16. RESPONDENT violated USPAP ETHICS RULE by performing the
5 assignment in a grossly negligent manner.

6 17. RESPONDENT violated USPAP SCOPE OF WORK RULE by failing to
7 provide the basis for information specific to adjustments made to comparable sales as
8 reported in his Appraisal Report, and by relying upon inaccurate information in the
9 subject appraisal report.

10 18. RESPONDENT violated Standards Rule 1-1(b) making numerous and
11 substantial errors through both omission and commission, which significantly affected the
12 appraisal.

13 19. RESPONDENT violated Standards Rule 1-1(c) in making a series of errors
14 that, although individually might not have significantly affected the results of the
15 appraisal, in the aggregate did affect the credibility of the appraisal.

16 20. RESPONDENT violated Standards Rule 1-2(c) by failing to identify and
17 analyze the type and definition of value as required under this rule.

18 21. RESPONDENT violated Standards Rule 1-2(d) by identifying the effective
19 date of this 'estate settlement' report on a date other than the date of death of decedent.

20 22. RESPONDENT violated Standards Rule 1-2(h) by failing to specify the basis
21 for information specific to adjustments made to comparable sales as reported in his
22 Appraisal Report and by relying upon inaccurate information in the subject appraisal
23 report.

24 23. RESPONDENT violated Standards Rule 1-3(b) by checking the highest and
25 best use box on the form but failing to provide any discussion within the report or
26 evidence in the work file as to how this was developed.

27 24. RESPONDENT violated Standards Rule 1-4(a) by failing to provide the basis
28 for information specific to adjustments made to comparable sales as reported in his

1 Appraisal Report.

2 25. RESPONDENT violated Standards Rule 1-6(a) by failing to perform the
3 necessary reconciliation analysis.

4 26. RESPONDENT violated Standards Rule 1-6(b) by failing to develop the
5 basis for the cost approach to value in support of the value conclusion.

6 27. RESPONDENT violated Standards Rule 2-1(a) by inaccurately and
7 inconsistently identifying the intended use of the report and details of the property.

8 28. RESPONDENT violated Standards Rule 2-1(b) by inaccurately and
9 inconsistently identifying information in the subject report.

10 29. RESPONDENT violated Standards Rule 2-2(a)(ii) by inaccurately and
11 inconsistently identifying the intended use of the report.

12 30. RESPONDENT violated Standards Rule 2-2(a)(iii) by inaccurately and
13 inconsistently identifying the physical and economic characteristics of the property.

14 31. RESPONDENT violated Standards Rule 2-2(a)(vi) by misidentifying either
15 the effective date of the appraisal and/or the date of the report.

16 32. RESPONDENT violated Standards Rule 2-2(a)(viii) by failing to include a
17 summary of the information analyzed, the methods and techniques employed, the reasons
18 that support the analysis, opinions, and conclusions of the report, and by
19 including no evidence to adequately explain the exclusions of the income approach and/or
20 cost approach.
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22 33. RESPONDENT violated Standards Rule 2-2(a)(x) by failing to include a
23 discussion in the report or evidence in the work file as to how the highest and best use
24 was determined.

25 **DISCIPLINE AUTHORIZED**

26 34. Pursuant to NRS 645C.460(2), if grounds for disciplinary action against an
27 appraiser are found to exist for unprofessional conduct, the Commission may revoke or
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1 suspend the certificate, place conditions upon the certificate, deny the renewal of his or
2 her certificate, and/or impose a fine up to \$10,000.00 per violation.

3 35. Additionally, under NRS Chapter 622.400, the Commission is authorized to
4 impose the costs of the proceeding upon the Respondent, including investigative costs and
5 attorney's fees, if the Commission otherwise imposes discipline on the Respondent.

6 36. Therefore, the Division requests the Commission to impose such discipline as
7 it determines is appropriate under the circumstances and to award the Division its costs
8 and attorney's fees for this proceeding.

9 PROPOSED SETTLEMENT AGREEMENT

10 The Division is prepared to put on a case based on the Complaint filed with the
11 Commission of Appraisers of Real Estate ("Commission") alleging the above offenses, and
12 the Division is authorized under NRS Chapter 645C.460(2) to revoke or suspend the
13 certificate, place conditions upon the certificate, and/or impose a fine up to Ten Thousand
14 Dollars (\$10,000.00) per violation. The RESPONDENT is prepared to vigorously defend
15 any such Complaint. However, in an effort to avoid the time and expense of litigating
16 these issues before the Commission, as well as any possible further legal appeals from
17 any such decision, the parties desire to compromise and settle the instant controversy
18 upon the following terms and conditions:

19 1. The RESPONDENT agrees to take a minimum of Eighteen (18) hours of
20 Continuing Education Credits ("CEC") in the each of the following areas:

- 21 a. not less than 14 hours in Residential Report Writing and Case Studies; and
- 22 b. not less than 4 hours in Support Adjustments.

23 These courses shall be completed within twelve (12) months of the effective date of
24 the Commission's order approving this Stipulation. These courses will not count toward the
25 RESPONDENT's continuing education requirements. Proof of completion must be
26 submitted to the Division upon completion of all the required education.

27 2. RESPONDENT agrees to pay the Division a total amount of FIVE
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1 THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$ 5,450.00) ("Amount Due"),
2 consisting of FIVE THOUSAND DOLLARS AND NO CENTS (\$5,000.00) in fines imposed
3 by the Division and the Division's pre-hearing and investigative costs incurred in the total
4 amount of FOUR HUNDRED AND FIFTY DOLLARS (\$450.00).

5 3. The Amount Due shall be payable to the Division in fifteen monthly
6 installments of THREE HUNDRED SIXTY THREE DOLLARS and 33/100 cents
7 (\$363.33), with the first payment due thirty (30) days after approval of this Stipulation by
8 the Commission. Lump sums can be made in pre-payment with no penalties.

9 4. RESPONDENT and the Division agree that once this Agreement is approved
10 and fully performed, the Division will close its file in this matter and the Division agrees
11 not to pursue any other or greater remedies or fines in connection with RESPONDENT
12 alleged conduct referenced herein. The Division further agrees that unless
13 RESPONDENT fails to make timely payment, the Division will not bring any claim or
14 cause directly or indirectly based upon any of the facts, circumstances, or allegations
15 discovered during the Division's investigation and prosecution of this case.

16 5. RESPONDENT agrees and understands that by entering into this
17 Stipulation, RESPONDENT is waiving his right to a hearing in each matter at which
18 RESPONDENT may present evidence in his defense, his right to a written decision on the
19 merits of the complaint, his rights to reconsideration and/or rehearing, appeal and/or
20 judicial review, and all other rights which may be accorded by the Nevada Administrative
21 Procedure Act, the Nevada Real Estate Appraisers statutes and accompanying
22 regulations, and the federal and state Constitutions.

23 6. RESPONDENT understands that this Agreement and other documentation
24 may be subject to public records laws. The Commission members who review this matter
25 for approval of this Stipulation may be the same members who ultimately hear, consider,
26 and decide the Complaints if this Stipulation is either not approved by the Commission or
27 is not timely performed by RESPONDENT.

28 7. RESPONDENT fully understands that he has the right to be represented by

1 legal counsel in these matters at his own expense.

2 8. Each party shall bear their own attorney's fees and costs, except as provided
3 above.

4 9. Approval of Stipulation. Once executed, this Stipulation will be filed with the
5 Commission and will be placed on the agenda for approval at its next public meeting. The
6 Division will recommend to the Commission approval of the Stipulation. RESPONDENT
7 agrees that the Commission may approve, reject, or suggest amendments to this
8 Stipulation that must be accepted or rejected by RESPONDENT before any amendment
9 is effective.

10 10. Withdrawal of Stipulation. If the Commission rejects this Stipulation or
11 suggests amendments unacceptable to RESPONDENT, RESPONDENT may withdraw
12 from this Stipulation, and the Division may pursue its Complaint before the Commission.
13 This Stipulation then shall become null and void and unenforceable in any manner
14 against either party.

15 11. Release. In consideration of the execution of this Stipulation,
16 RESPONDENT for himself, his heirs, executors, administrators, successors, and assigns,
17 hereby releases, remises, and forever discharges the State of Nevada, the Department of
18 Business and Industry, and the Division, and each of their respective members, agents,
19 employees, and counsel in their individual and representative capacities, from any and all
20 manner of actions, causes of action, suits, debts, judgments, executions, claims, and
21 demands whatsoever, known and unknown, in law or equity, that RESPONDENT ever
22 had, now has, may have, or claim to have against any or all of the persons or entities
23 named in this section, arising out of or by reason of the Division's investigations, these
24 disciplinary actions, and all other matters relating thereto.

25 12. Indemnification. RESPONDENT hereby agrees to indemnify and hold
26 harmless the State of Nevada, the Department of Business and Industry, Petitioner, the
27 Division, and each of their respective members, agents, employees, and counsel, in their
28 individual and representative capacities, against any and all claims, suits, and actions

1 brought against said persons and/or entities by reason of the Division's investigations,
2 these disciplinary actions, and all other matters relating thereto, and against any and all
3 expenses, damages, and costs, including court costs and attorney fees, which may be
4 sustained by the persons and/or entities named in this section as a result of said claims,
5 suits, and actions.

6 13. Default. In the event of default under this Stipulation, RESPONDENT
7 agrees that his license shall be immediately suspended, and the unpaid balance of the
8 administrative fine and costs, together with any attorneys' fees and costs that may have
9 been assessed, shall be due in full to the Division within ten calendar days of the date of
10 default. Debt collection actions for unpaid monetary assessments in this case may be
11 instituted by the Division or its assignee.

12 14. RESPONDENT has signed and dated this Stipulation only after reading and
13 understanding all terms herein.

14 IT IS SO STIPULATED.

15 Dated: _____, __, 2023.

NEVADA REAL ESTATE DIVISION
Department of Business and Industry
State of Nevada

17
18 By: _____
19 SHARATH CHANDRA, Administrator
20 3300 West Sahara Avenue, Suite 350
Las Vegas, Nevada 89102

21 Dated: _____, __, 2023.

22 _____
23 ALFONSO CAMINO
24 (License No. A.0001257-CR),
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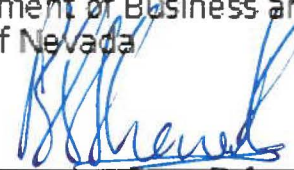
1 days of the date of default. Debt collection actions for unpaid monetary
2 assessments in this case may be instituted by the Division or its assignee.

3 14. RESPONDENT has signed and dated this Stipulation only after reading
4 and understanding all terms herein.


5 IT IS SO STIPULATED.

6 Dated: APRIL, 3, 2023.

NEVADA REAL ESTATE DIVISION
Department of Business and Industry
State of Nevada

7
8
9 By: 
SHARATH CHANDRA, Administrator
3300 West Sahara Avenue, Suite 350
Las Vegas, Nevada 89102

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12 Dated: 04/01, __, 2023.


ALFONSO CAMINO
(License No. A.0001257-CR),

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19 Approved as to form:

20 AARON D. FORD
21 Attorney General

22 By: /s/ Phil W. Su
23 PHIL W. SU (#10450)
24 Senior Deputy Attorney General
25 555 East Washington Ave.
26 Las Vegas, Nevada 89101
27 Attorneys for State of Nevada,
28 Department of Business and Industry,
Real Estate Division

1 Approved as to form:

2 AARON D. FORD
3 Attorney General

4 By: _____

5 PHIL W. SU (#10450)
6 Senior Deputy Attorney General
7 555 East Washington Ave.
8 Las Vegas, Nevada 89101
9 *Attorneys for State of Nevada,*
Department of Business and Industry,
Real Estate Division

10 **ORDER**

11 IT IS ORDERED that the foregoing Stipulation for Global Settlement of
12 Disciplinary Action, submitted by Petitioner and Respondent, is approved in full.

13 Dated: this 4th day of April, 2023.

15 COMMISSION OF APPRAISERS OF REAL ESTATE

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17 By: _____

18 President, Commission of Appraisers of Real Estate
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