

From: Sam Maness <smanappr@gmail.com>
Sent: Friday, September 22, 2023 2:27 PM
To: Christal P. Keegan <ckeegan@ag.nv.gov>
Subject: Complaint rebuttal

FILED
SEP 25 2023
NEVADA COMMISSION OF APPRAISERS
Mgello

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I have reviewed The Complaint filed and Disagree with the Allegations, although I didn't have 21/2 years and a Team of Lawyers and Investigators on my Team. It was just me and less than 3 weeks to respond to the Allegations.

With the minimum time allotted to me for the review I did find the following which leads me to believe that your accusations are not supported and are merely fluff added to increase the number of potential violations.

I believe that you took a Complaint filled by a Listing RE Agent who Violated numerous Ethics and the William Dodd act requirements by Harrasing the Appraiser and Falsely presented her Identity, and going one step further by Voicing her dissatisfaction on a Private Community on Facebook which was a Violation in itself. That means nothing to the State Board Of Realtors that she committed the Violations, but rather took the opportunity to desperately dig through my report to attempt to locate any Violation that they could conjure up.

That being said I haven't retained any Legal Counsel at this time and I am willing to talk with the State about a resolution to the matter. If not solution can be obtained Prior to the Scheduled hearing

I would request to subpoena the RE Agent filing the Complaint, The Buyer's RE Agent and The Buyer of the Subject, The AMC rep, and the Lender Rep., and 3 character witness's since my Credibility and Reputation have been assaulted.

Here is what my short amount of time allotted for me to review your complaint found.

Documents Bates Stamps 000001-000105

For

Charles S. Maness Case# 2021-311 & AP21.036.S

Possible Violations:

Ethics Rule: Appraiser statement of how the land value was derived is a fact. Although the reviewer did not appear to agree with the appraisers determination of the subject Site Value, the appraiser stated where the site value was derived - “20% of the appraised value for site’s 1.25 ac or less.” The reviewers statement of 518 residential land sales in a undescribed period could be true but this is a blanket statement and does not disprove the factual statement in the appraisal report being questions.

Page 17 of the work file and line item 27 comment states the adjustment utilized which was derived by MLS data which is references in the workfile as the source.

Record Keeping Rule: compliant argues that that there is no documentation to show an attempt to search for land sales in Pahrump. The appraisal did not utilize land sales to determine the site value as indicated by the comment referenced in the complaint “Site value is derived from 20% of the appraised value for site’s 1.25 ac or less.”

Competency Rule: There is no data, information, or documentation in the appraisal, or workfile, to support land value. This statement is false, the value reported in the cost approach is the site value, not land value. FNMA Certification #9 is supported by the paired sales analysis the appraiser completed whilst researching the subjects market within the MLS and is evident in the comparable sales grid within the appraisal report.

- Compliant also indicates “Comp 1 is the only comp with two bedrooms but there is no discussion if that impacted its value. However; based on the gridded comp 1 vs comp 2, no adjustment is warranted for bedroom. Further market support could be derived from MLS however; based on data within the report, no adjustment is warranted and no explanation is necessary.

Scope of Work Rule:

“Comps 1, 4 & 5 had renovation efforts (based on MLS photos) while the subject & other comps were not renovated and/or updated to the same level.” This is a subjective statement and based on interior photos of the subject property vs the MLS photos of the comparable properties, the comparable sales are believed to have similar market appeal and appeal to the subject property (and are noted to have similar condition ratings). MLS comments are not considered reliable indicators of the condition and quality ratings utilized in the appraisal profession.

Standards Rule 1-1(a): The complaint indicates that there is inconsistent adjustments to the comps for porch/patio which is incorrect. See Exhibit 1:

| | Contibutory Value | C.Porch | C.Patio | Porch | Patio | Deck |
|---------|-------------------|---------|---------|-------|-------|------|
| Subject | 4000 | 2000 | 2000 | 0 | 0 | 0 |
| | | C.Porch | C.Patio | Porch | Patio | Deck |
| Comp 1 | 4000 | 2000 | 2000 | 0 | 0 | 0 |
| Comp 2 | 4000 | 2000 | 2000 | | | |
| Comp 3 | 3000 | 2000 | | | | 1000 |
| Comp 4 | 0 | 0 | 0 | | 0 | 0 |
| Comp 5 | 1000 | 0 | 0 | 0 | 1000 | 0 |

| | | | | | | |
|--------|------|---|---|------|------|---|
| Comp 6 | 2000 | 0 | 0 | 1000 | 1000 | 0 |
|--------|------|---|---|------|------|---|

Line Item Adjustment for
Porch/Patio/Deck

| | |
|--------|------|
| Comp 1 | 0 |
| Comp 2 | 0 |
| Comp 3 | 1000 |
| Comp 4 | 4000 |
| Comp 5 | 3000 |
| Comp 6 | 2000 |

Comps 1-3

Comps 4-6

Standard Rule 1-4(a) The documentation is clear in the sales comparison grid and can be paired out utilizing the data within the report.

Standards Rule 2-1 (a): Due to the limited number of vacant land sales

the past 12 months, the Site value is derived from 20% of the Appraised value for site's 1.25 or

Sincerely C. Sam Maness

less.