

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, )

Case No. 2016-3272 & AP 17.011N

Petitioner, )

vs. )

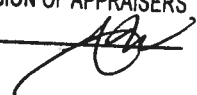
9 MICHAEL L. BRUNSON )  
10 (License No. A.0207222-CG), )

Respondent. )

**FILED**

OCT 29 2018

NEVADA COMMISSION OF APPRAISERS



12  
13   **DECISION**

14           This matter came on for hearing before the Nevada Appraisal Commission, State of  
15 Nevada ("Commission") on Tuesday, October 9, 2018, at the Nevada State Business  
16 Center, 3300 W. Sahara Avenue, Las Vegas, Nevada 89102. Respondent Michael L.  
17 Brunson ("Respondent") appeared in person without counsel. Peter K. Keegan, Deputy  
18 Attorney General, appeared and prosecuted the Complaint on behalf of petitioner Sharath  
19 Chandra, Administrator of the Real Estate Division, Department of Business & Industry,  
20 State of Nevada ("Division").

21           The matter having been submitted for decision based upon the allegations of the  
22 Complaint, the Commission now enters its Findings of Fact and Conclusions of Law as  
23 follows:

24   **FINDINGS OF FACT**

25           The Commission, based upon the evidence presented during the hearing, finds that  
26 there is substantial evidence in the record to establish each of the following:

27           ///

28           ///

1           1.     The Respondent is currently licensed by the Division as a Certified General  
2 Appraiser on October 14, 2015, License No. A.0207222-CG, with an expiration of October  
3 31, 2019.

4           2.     Prior to obtaining as Certified General Appraiser license, the Respondent  
5 was licensed by the Division as a Certified Residential Appraiser, License No. A.0002794-  
6 CR, from December 9, 1997 through December 31, 2015, and an as Appraiser Intern,  
7 License No. A.0002105-INTR, from October 10, 1995 through October 31, 1999.

8           3.     On or about August 10, 2016, the Division received a complaint/statement of  
9 fact asserting that the Respondent had completed an appraisal in violation of several  
10 provision of the Uniform Standards of Professional Appraisal Practice ("USPAP").

11          4.     The Complaint stated that the Respondent was engaged to conduct a  
12 retrospective market appraisal for litigation purposes.

13          5.     The Respondent performed an appraisal of a residential property located at  
14 6240 Royal Brook Ct., Las Vegas, Nevada 89149, APN 125-30-502-036 ("Property"), by  
15 analyzing the nature, quality, value, or use of the property, and offered an opinion as to  
16 the nature, quality, value or use of the property for or with the expectation of  
17 compensation.

18          6.     The effective date of valuation performed by the Respondent was identified  
19 as May 16, 2013; the appraisal report date was identified as June 25, 2015.

20          7.     At the time Respondent signed the appraisal in question, he was operating  
21 under his Residential Appraiser's License No. A.0002784-CR.

22          8.     The intended use of the appraisal performed by the Respondent was  
23 "Litigation."

24          9.     The appraisal failed to include the comparable contract dates and only  
25 included the closed sale dates.

26          10.    The appraisal exhibit PAIRS indicated a significant change in home prices of  
27 17.638% annualized.

28          11.    The appraisal failed to include an explanation to support the uniform

1 \$55,000.00 swimming pool adjustment made for all the comparable sales.

2 12. The appraisal stated that the Property is connected to a sewer system, yet  
3 Clark County records show that the Property is connected to a septic system.

4 13. The appraisal report identified a five-car driveway but only reports a three-  
5 car driveway in the grid section.

6 14. The appraisal failed to include an explanation regarding the non-adverse  
7 determination comparable sale 2.

8 15. The appraisal failed to include an explanation supporting the lack of  
9 adjustment for the two-story structure of comparable sale 1.

10 16. On or about August 17, 2016, the Division mailed to the Respondent an  
11 opening letter requesting, by September 1, 2016, copies of the Respondent's work file for  
12 the Property.

13 17. On or about August 31, 2016, the Respondent submitted his response to the  
14 complaint and a copy of his work file for the Property.

15 18. On or about December 13, 2017, the Division mailed to the Respondent a  
16 letter indicating that the Division was closing its investigation without prejudice but  
17 reserved the right to reopen the matter.

18 19. On or about August 9, 2018, the Division mailed to the Respondent a follow-  
19 up letter, pursuant to NRS Chapter 233B Letter, as required by NRS 233B.237(3)  
20 indicating that the investigation of this matter was being reopened and a formal  
21 complaint was being filed by the Division with the Nevada Appraisal Commission.

## 22 CONCLUSIONS OF LAW

23 The Commission, based upon the preponderance of the evidence, makes the  
24 following legal conclusions:

25 1. Respondent did not commit any of the violations alleged in the Complaint.

## 26 ORDER

27 IT IS HEREBY ORDERED that Petitioner's Complaint is dismissed and no  
28 discipline is imposed against the Respondent.

