

BRIAN SANDOVAL
Governor

STATE OF NEVADA



C.J. MANTHE
Director

SHARATH CHANDRA
Administrator

DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION
www.red.nv.gov

February 14, 2018

Robert T. Steffan
3759 Millwood Ave.
Las Vegas, Nevada 89121

Certified No. 7016 3010 0000 5781 0322

Re: NRED v. ROBERT T. STEFFAN
Case No.: 2017-821, AP17.019.S

Dear Mr. Steffan:

Enclosed herewith you will find the Stipulation for Settlement of Disciplinary Action entered by the Nevada Commission for Appraisers of Real Estate at the meeting held January 23, 2018 in Las Vegas, Nevada. The Commission has ordered the following:

1. The Respondent complete not less than fifteen (15) hours of instruction in report writing;
2. The Respondent complete not less than seven (7) hours of instruction in Sales Comparison/Sales Adjustments;
3. The Respondent complete not less than fifteen (15) hours of instruction in Residential Site Valuation;
4. Fifteen (15) hours of the education must be in a classroom setting;
5. Courses are to be completed within eighteen (18) months of the stipulation being approved by the Commission; and,
6. No continuing education credits will be given for the courses taken in the stipulation.

EFFECTIVE DATE OF THIS ORDER: JANUARY 23, 2018
EDUCATION DUE DATE: JULY 23, 2019

Note that Division staff does not have the authority to extend the due date for your fine or education credits that have been ordered by the Commission. If you find that you are unable to meet the required education credits, you will need to request in writing that you be placed on the agenda for a Commission hearing in which you will be allowed to request an extension from the Commission. This request should be submitted prior to the due date. Please contact me if you have questions regarding this matter.

Administrator

350, Las Vegas, Nevada 89102
Suite 110, Carson City, Nevada 89706

Telephone: (702) 486-4033 Fax: (702) 486-4275
Telephone: (775) 684-1900 Fax: (775) 687-4868

1 REAL ESTATE DIVISION,
2 DEPARTMENT OF BUSINESS AND INDUSTRY,
3 STATE OF NEVADA

4 * * *

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

9 Petitioner,

10 vs.

11 ROBERT T. STEFFAN
12 A.00006198.CR

13 Respondent.

14 STIPULATION FOR SETTLEMENT
15 OF DISCIPLINARY ACTION
16 PURSUANT TO NAC 645C.610(3)

17 Case No.: 2017-821, AP17.019.S

18 **FILED**

19 FEB 14 2018

20 NEVADA COMMISSION OF APPRAISERS

21 STIPULATION FOR SETTLEMENT OF DISCIPLINARY

22 ACTION PURSUANT TO NAC 645C.610(3)

23 1. **PARTIES.** This Stipulation is entered into by and between the Petitioner, the REAL
24 ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA (the "Division"),
25 by and through its Administrator, SHARATH CHANDRA (the "Administrator"), and the Respondent,
26 ROBERT T. STEFFAN (whether one or more hereinafter the "Respondent"), who at relevant times
27 was licensed by the State of Nevada, license number(s) A.0006198.CR. This Stipulation is entered
28 into upon mutual agreement with the decision of the Appraisal Advisory Review Committee (the
"AARC"), which was reached at its informal conference held on August 25, 2017, in LAS VEGAS,
NEVADA. Members of the AARC present were Richard Scott Dugan, James Martin, and John
Wright, CHAIR.

2. **AUTHORITY OF THE APPRAISAL ADVISORY REVIEW COMMITTEE.** The Appraisal
Advisory Review Committee has authority to enter into this Stipulation with the Respondent
pursuant to NAC 645C.610(3).

3. **FINDINGS.** The AARC has found that the Respondent, while licensed, certified or
registered as a Nevada Appraiser, committed violations of Chapter 645C of the Nevada Revised

1 Statues and the Nevada Administrative Code or/and the Uniform Standards of Professional
2 Appraisal Practice (USPAP). A description of the conduct in which these violations were committed
3 is set forth in specificity in the Summary of Facts which is attached hereto as EXHIBIT "A". The
4 Administrator has the authority, pursuant to NAC 645C.600 (2), to establish an advisory committee
5 in an attempt to review this matter informally and recommend a resolution.

6 4. **NO ADMISSION OF GUILT.** The Respondent does not admit or deny the findings of
7 the AARC, choosing to remain silent, but does agree that the findings establish a prima facie case
8 for the discipline set forth below and stipulates, subject to the limitations and conditions set forth
9 below, that the Division shall not be required to provide further evidence of such allegations.

10 5. **SETTLEMENT FOR DISCIPLINARY ACTION.** As set forth above, the AARC is
11 authorized under NAC 645C.610 to impose an administrative fine, upon final approval by the
12 Commission. The Division also has the option to file a complaint with the Nevada Commission of
13 Appraisers of Real Estate (the "Commission"). The Commission has the authority pursuant to NRS
14 645C.460(2)(d) to impose a fine of up to \$10,000 for each violation alleged or to suspend or revoke
15 the Respondent's certificate, license or registration card. The parties, however, desire to
16 compromise and settle the instant controversy, without a hearing, upon the following terms and
17 conditions:

18 a. **Committee Recommendations:**

19 Respondent is to complete not less than fifteen hours of instruction in Report
20 Writing.

21 Complete not less than seven hours of instruction in Sales Comparison/Sales
22 Adjustments.

23 Complete not less than fifteen hours of instruction in Residential Site Valuation.

24 Fifteen hours of the recommended courses must be in a classroom setting.

25 None of the above listed class credits will be applied to continued education.

26 Courses must be completed within eighteen months from the date this stipulation
27 is approved by the Appraisal Commission.

28 RESPONDENT

 09-21-2017

1 **b. Public Record.** RESPONDENT and the DIVISION agree that by entering into this
2 Stipulation, the DIVISION does not concede any defense or mitigation RESPONDENT may assert,
3 and the parties agree that the DIVISION will not publicize the instant disciplinary matter, except as
4 set forth below, and that once this Stipulation is approved and fully performed, the DIVISION will
5 close its file in this matter. RESPONDENT understands that the public records law may require the
6 DIVISION to make available for inspection this Stipulation and related documents. RESPONDENT
7 also understands that the DIVISION may share the content of this Stipulation and related
8 documents with any governmental or professional organization or member of the public;

9 **c. Newsletter.** RESPONDENT and the DIVISION agree that the DIVISION, at its
10 discretion, may publish in the newsletter an anonymous summary of the alleged offenses of
11 RESPONDENT and the terms of this Stipulation, with the understanding of all parties that such
12 publication will not specifically name RESPONDENT or make reference to any other party;
13 RESPONDENT will be referred to only as a licensee in the State of Nevada. It is further
14 understood by the parties that this publication is for educational purposes only and to advise
15 other licensees of the alleged violation(s) and that disciplinary action has been taken by the
16 DIVISION;

17 **d. Failure to perform; hearing on complaint.**
18 RESPONDENT agrees that if the required education is not completed in the time allowed above,
19 RESPONDENT'S license will be automatically suspended until such time as the fine is paid and
20 continuing education requirement satisfied. The DIVISION may, at its option, rescind this
21 Stipulation and proceed with filing a Complaint before the Commission. Further, recovery actions
22 for the administrative fines may be instituted by the DIVISION;

23 **e. No other remedies.** Assuming Respondent complies with the terms of this
24 stipulation, the Division agrees not to pursue any other or greater remedies or fines in connection
25 with the conduct referenced in above unless stipulation is rescinded.

26 **f. Waiver by Respondent.** RESPONDENT agrees and understands that by entering
27 into this Stipulation, RESPONDENT is waiving his/her right to a hearing at which RESPONDENT
28 may present evidence in his/her defense and to be represented by counsel, to judicial review of
any adverse decision by the Commission, and to present his/her defense to a Commission which
has had no prior familiarity with the instant matter. The Commission members who review this

1 matter for approval of this Stipulation may be the same members who ultimately hear the
2 DIVISION'S complaint if this Stipulation is either not approved by the Commission or is not timely
3 performed by RESPONDENT; and

4 **g. Attorney fees and other costs.** Each party shall bear its own attorney's fees and
5 other costs not specifically set forth in this Stipulation.

6 **6. RELEASE.** In consideration of execution of this Stipulation, the Respondent for
7 himself/herself or his/her heirs, executors, administrators, successors, and assigns, hereby
8 release, remiss, and forever discharge the State of Nevada, the Department of Business and
9 Industry of the State of Nevada, the Division, and each of their members, agents, and employees
10 in their individual and representative capacities, from any and all manner of actions, causes of
11 action, suits, debts, judgments, executions, claims, and demands whatsoever, known and
12 unknown, in law or equity, that the Respondents ever had, now has, may have, or claims to have
13 against any or all of the persons or entities named in this section, arising out of or by reason of
14 the Division's investigation, this disciplinary action, or any other matter relating thereto.

15 **7. INDEMNIFICATION.** Respondent hereby indemnifies and holds harmless the State
16 of Nevada, the Department of Business and Industry of the State of Nevada, the Division, and
17 each of their members, agents, and employees in their individual and representative capacities
18 against any and all claims, suits, and actions brought against said persons and/or entities by
19 reason of the investigation of the allegations in the Complaint, this disciplinary action and all
20 other matters relating thereto, and against any and all expenses, damages, and costs, including
21 court costs and attorney fees, which may be sustained by the persons and/or entities named in
22 this section as a result of said claims, suits, and actions.

23 **8. COMMISSION APPROVAL OF STIPULATION NECESSARY.**
24 Once executed, this Stipulation will be filed with the Commission and will be put on the agenda
25 for approval at its meeting, which by Nevada law is a public meeting. At that time, the DIVISION
26 will recommend to the Commission approval of the Stipulation. RESPONDENT acknowledges and
27 agrees that the Commission may approve this Stipulation, reject it, or suggest different terms
28 which must be communicated to RESPONDENT and accepted or rejected by RESPONDENT before
any such amendment shall become effective.

9. SETTLEMENT DISCUSSIONS NOT EVIDENCE. Any statements made during the

discussions leading up to this Stipulation may not be discussed or introduced into evidence at any hearing. However, evidence of the Respondent's failure to abide by the terms of any Stipulation entered into with the Division, may be introduced at a hearing and used against the Respondent.

10. STIPULATION IS NOT A BAR TO FUTURE PROCEEDINGS. This Stipulation shall not constitute an estoppel, merger or bar to any administrative or civil proceeding by the Division with respect to any future matters or other matters that were not consideration for this Stipulation.

....

SO STIPULATED.

Dated: 09/22/17

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

By: [Signature]
SHARATH CHANDRA
Administrator

Dated: 09-21-2017

[Signature]
Respondent

ORDER

The foregoing Stipulation was approved by a vote of the Nevada Commission of Appraisers of Real Estate on January 23, 2018.

DATED this 6 day of February, 2018.

NEVADA COMMISSION OF APPRAISERS OF REAL ESTATE

[Signature]
Commissioner

EXHIBIT “A”

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Exhibit A
Robert T. Steffan

Violation found:

COMPETENCY RULE

An appraiser must: (1) be competent to perform the assignment; (2) acquire the necessary competency to perform the assignment; or (3) decline or withdraw from the assignment. In all cases, the appraiser must perform competently when completing the assignment.

SCOPE OF WORK RULE

For each appraisal and appraisal review assignment, an appraiser must:

1. identify the problem to be solved;
2. determine and perform the scope of work necessary to develop credible assignment results;
3. disclose the scope of work in the report.

An appraiser must properly identify the problem to be solved in order to determine the appropriate scope of work. The appraiser must be prepared to demonstrate that the scope of work is sufficient to produce credible assignment results.

Standards Rule 1-1

In developing a real property appraisal, an appraiser must:

- (a) be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal.
- (b) not commit a substantial error of omission or commission
- (c) not render appraisal services in a careless or negligent manner, such as by making a series of errors that, although individually might not significantly affect the results of an appraisal, in the aggregate affects the credibility of those results.

Standards Rule 1-2

In developing a real property appraisal, an appraiser must:

- (h) determine the scope of work necessary to produce credible assignment results in accordance with the **SCOPE OF WORK RULE**

Standards Rule 1-4

In developing a real property appraisal, an appraiser must collect, verify, and analyze all information necessary for credible assignment results.

- (a) When a sales comparison approach is necessary for credible assignment results, an appraiser must analyze such comparable sales data as are available to indicate a value conclusion.

4 **Standards Rule 1-6**

5 In developing a real property appraisal, an appraiser must:

6 (a) reconcile the quality and quantity of data available and analyzed within the approaches used;
7 and

8 (b) reconcile the applicability and relevance of the approaches, methods and techniques used to
arrive at the value conclusion(s).

9 **Standards Rule 2-1**

10 Each written or oral real property appraisal report must:

11 (a) clearly and accurately set forth the appraisal in a manner that will not be misleading;

12 (b) contain sufficient information to enable the intended users of the appraisal to understand the
report properly.

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14
15 **Facts and Rationale for Finding:**

16 The Appraisal Advisory Review Committee has found that the Robert T. Steffan, while licensed,
17 certified or registered as a Nevada Appraiser, committed violations of the chapter 645C of the Nevada
18 Revised Statutes and Nevada Administrative Code and/or Uniform Standards of Professional Appraisal
19 Practice.