

JUN 08 2022

NEVADA COMMISSION OF APPRAISERS

Kelley Valadez

BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE

STATE OF NEVADA

SHARATH CHANDRA, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Petitioner,

vs.

GLENN J. HOWARD
(License No. A.0007090-RES),

Respondent.

Case No. 2019-585; Case No. 2019-751; Case
No. 2020-576; Case No. 2020-623; Case No.
2021-607; and 2021-675

**MODIFIED STIPULATION AND
ORDER FOR GLOBAL SETTLEMENT
OF DISCIPLINARY ACTIONS**

This Stipulation for Global Settlement of Disciplinary Actions (this "Stipulation") is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator Sharath Chandra ("Petitioner"), by and through their attorney of record, Louis V. Csoka, Deputy Attorney General, and Glenn Howard ("RESPONDENT"), by and through his attorney Janeen Isaacson.

RESPONDENT, at all relevant times mentioned in this Complaint, was licensed by the Division as a Licensed Residential Appraiser. He is therefore subject to the jurisdiction of the Division and the Commission and the provisions of NRS chapter 645C and NAC chapter 645C.

SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**Case No. 2019-585**

1. RESPONDENT has been licensed by the Division as a Licensed Residential Appraiser, License No. A.0007090-RES, since December 5, 2006.

2. The Division received an anonymous complaint regarding an appraisal RESPONDENT conducted on the property located at 2942 South Tenaya Way, Las Vegas, NV 89117 ("subject property").

3. RESPONDENT signed the appraisal report for the subject property ("subject report").

1 4. RESPONDENT conducted the appraisal of the subject property for James P
2 & Gwyn M Mitchell.

3 5. The subject report had an effective date and signature date of November 15,
4 2018 and listed the appraised value at \$1,950,000.

5 6. On June 5, 2019, the Division sent a letter to RESPONDENT notifying him
6 about the complaint and requested RESPONDENT to provide a written response and a
7 hard copy of the appraisal report including the entire work file, and any supporting
8 documentation on or before June 19, 2019.

9 7. On June 24, 2019, the Division sent a letter to RESPONDENT notifying him
10 that the Division had not yet received a response from the June 5, 2019, letter. The Division
11 requested a response by July 2, 2019.

12 8. On July 3, 2019, after not receiving any documentation from RESPONDENT,
13 the Division sent a notification letter to RESPONDENT via certified mail, informing him
14 that the Division intended to commence disciplinary action by filing a complaint before this
15 Board.

16 9. On July 19, 2019, RESPONDENT responded via email requesting more time
17 to respond due to a family emergency. The Division granted RESPONDENT's request and
18 allowed him a two-week extension to provide the documents by August 6, 2019.

19 10. On August 8, 2019, after not receiving any documentation from
20 RESPONDENT, the Division sent an additional letter to RESPONDENT via certified mail,
21 requesting a written response and documentation by August 19, 2019.

22 11. In an email dated August 20, 2019, the Division notified RESPONDENT that
23 it had received documentation regarding Case Number 2019-751, but it had not received
24 any documentation regarding the subject property.

25 12. In an email dated August 21, 2019, RESPONDENT admitted that he was
26 hired to perform an appraisal for the subject property by the homeowners' caretaker.
27 RESPONDENT noted he was using the subject property as an educational experience for
28 complex assignment hours.

1 13. RESPONDENT noted that the "owner believes his home is worth more than
2 homes in the area because he has overpaid for very expensive improvements," and that he
3 "spoke to the owner about homes more similar in value to his home, but [the owner] refused
4 to believe that [those] properties were similar." All the comparable sales RESPONDENT
5 offered were less than \$1,000,000, and those valuations were difficult for the homeowners
6 to accept.

7 14. RESPONDENT noted he and the homeowners were going to revisit the
8 appraisal at a later date and update the report with a value less than \$1,000,000.

9 15. RESPONDENT admitted he did not have a certified appraiser to work with
10 on complex assignments.

11 16. The work file that RESPONDENT sent to the Division consisted of a tax sheet
12 of the subject property, 3 MLS comparable sales, and 8 photos.

13 17. The subject report was not reviewed by a certified residential appraiser.

14 18. RESPONDENT's level of licensure does not permit RESPONDENT to perform
15 an appraisal of real property of the subject property's level of value and complexity.

16 19. The subject report does not disclose RESPONDENT's lack of knowledge,
17 expertise, or certification to appraise real property of the subject property's level of value
18 and complexity.

19 20. The subject report does not indicate that it is a draft report.

20 21. The subject report expressed an opinion of value at \$1,950,000, with
21 signatures, and a copy of RESPONDENT's residential appraiser license.

22 22. The RESPONDENT conducted a sales comparison approach and purported to
23 analyze the data from three comparable sales, valued between \$1,277,100 and \$2,079,200.

24 23. RESPONDENT did not provide comments in the subject report to support the
25 appraisal opinion of value at \$1,950,000.

26 24. On February 27, 2020, the Division sent a follow up email to RESPONDENT
27 noting that the work file the Division received only consisted of a tax sheet of the subject
28 property, 3 MLS comparable sales, and 8 photos. The Division requested the full work file,

1 appraisal report, and any supporting documentation.

2 25. As of the date of this filing, the Division has not received any files or
3 correspondence from RESPONDENT regarding the subject property.

4 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

5 **Case No. 2019-585**

6 1. RESPONDENT committed unprofessional conduct, defined through NRS
7 645C.470(2), and NAC 645C.405(4), by conducting or attempting to conduct an appraisal
8 of a complex property valued at over \$1,000,000, which was outside the scope of a Licensed
9 Residential Appraiser's license pursuant to NRS 645C.280(1)(a).

10 2. RESPONDENT displayed professional incompetence, defined through NRS
11 645C.460(1)(b) and NAC 645C.405, by violating multiple standards and rules set forth by
12 the Uniform Standards of Professional Appraisal Practice.

13 3. RESPONDENT committed an act of unprofessional conduct, as defined by
14 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
15 documentation after being requested to do so by the Division as part of its investigation of
16 a complaint.

17 4. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
18 the documents and the permission necessary to complete fully an inspection and audit of
19 RESPONDENT's records.

20 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

21 **Case No. 2019-751**

22 1. RESPONDENT has been licensed by the Division as a Licensed Residential
23 Appraiser, License No. A.0007090-RES, since December 5, 2006.

24 2. The Division received an anonymous complaint regarding an appraisal
25 RESPONDENT conducted on the property located at 1100 Rancho Circle, Las Vegas, NV
26 89107 ("subject property").

27 3. RESPONDENT signed the appraisal report for the subject property ("subject
28 report").

1 4. RESPONDENT conducted the appraisal of the subject property for North
2 American Financial, Corp.

3 5. The subject report had an effective date and signature date of February 4,
4 2019 and listed the appraised value at \$2,600,000.00.

5 6. In an email dated August 6, 2019, RESPONDENT admitted that he was hired
6 to expedite and assist on an appraisal for the subject property. RESPONDENT noted he
7 was assigned to "do an inspection, take photos, search for comparables, & start the data
8 entry process." RESPONDENT admitted he inspected the subject property on February 4,
9 2019, and he delivered the subject report that day.

10 7. RESPONDENT's level of licensure does not permit RESPONDENT to perform
11 an appraisal of real property of the subject property's level of value and complexity.

12 8. The subject report does not disclose RESPONDENT's lack of knowledge,
13 expertise, or certification to appraise real property of the subject property's level of value
14 and complexity.

15 9. The subject report does not indicate that it is a draft report.

16 10. The subject report expressed an opinion of value at \$2,600,000, with
17 signatures, and a copy of RESPONDENT's residential appraiser license.

18 11. The RESPONDENT conducted a sales comparison approach and purported to
19 analyze the data from three comparable sales, each valued over \$2,000,000.

20 12. Each of the comparable sales RESPONDENT used was significantly different
21 from the subject property.

22 13. RESPONDENT's sales comparison approach did not include the sale of the
23 home located next door to the subject property, 1200 Rancho Circle, which sold for
24 \$1,400,000 on September 20, 2017. The subject report does not explain why this sale was
25 not considered.

26 14. RESPONDENT appraised the subject property without the supervision of a
27 certified residential appraiser.

28 15. The subject report did not identify the name of any certified residential

1 appraiser who would review the appraisal.

2 16. The subject report affirmed that "no one provided significant real property
3 appraisal assistance to [RESPONDENT]."

4 17. The subject report was not reviewed by a certified residential appraiser.

5 18. RESPONDENT sent an invoice for "full appraisal" to North American
6 Financial, Corp.

7 19. Based upon the allegations in the anonymous complaint, the Division
8 requested a Standard 3 review on the appraisal report for the subject property.

9 20. The Standard 3 review noted that the subject report failed to provide sufficient
10 support to many of RESPONDENT's conclusions.

11 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

12 **Case No. 2019-751**

13 1. RESPONDENT committed unprofessional conduct, defined through NRS
14 645C.470(2), and NAC 645C.405(4), by conducting or attempting to conduct an appraisal
15 of a complex property valued at over \$1,000,000, which was outside the scope of a Licensed
16 Residential Appraiser's license pursuant to NRS 645C.280(1)(a).

17 2. RESPONDENT displayed professional incompetence, defined through NRS
18 645C.460(1)(b) and NAC 645C.405, by violating multiple standards and rules set forth by
19 the Uniform Standards of Professional Appraisal Practice.

20 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

21 **Case No. 2020-576**

22 1. RESPONDENT has been licensed by the Division as a Licensed Residential
23 Appraiser, License No. A.0007090-RES, since December 5, 2006.

24 2. The Division received a complaint from Erik Valainis regarding an appraisal
25 RESPONDENT conducted on the property located at 2012 Gault Ct., North Las Vegas, NV
26 89032 ("subject property").

27 3. Mr. Valainis' complaint referenced two appraisal reports conducted for the
28 subject property. One appraisal was conducted by Ms. Vivien George. RESPONDENT

1 conducted the other appraisal ("subject report"). The Division audited both reports.

2 4. The subject report had an effective date of November 25, 2019, and a signature
3 date of November 27, 2019. The subject report listed the appraised value at \$100,000.00.

4 5. On July 13, 2020, RESPONDENT responded to the Division via email and
5 attached the subject report along with 52 photos.

6 6. RESPONDENT did not provide a work file for the subject report.

7 7. The subject report did not include research or analysis of Market Conditions,
8 highest and best use, and rationale for comparable sales adjustments or lack of
9 adjustments.

10 8. The subject report did not contain supporting information for
11 RESPONDENT's market area description results, conclusions, characteristics, or trends.

12 9. The subject report did not contain analysis to provide credible market value
13 opinion. It did not contain substantiating reports or analyses of market area trends,
14 conclusions, or characteristics. No rationale or support was provided for the opinion of
15 highest and best use.

16 10. The subject report indicated adjustments were made for condition,
17 heating/cooling, energy-efficient items, garage/carport, and patio. The subject report did
18 not annotate how these adjustments were calculated.

19 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

20 **Case No. 2020-576**

21 1. RESPONDENT displayed professional incompetence, defined through NRS
22 645C.460(1)(b) and NAC 645C.405, by violating multiple standards and rules set forth by
23 the Uniform Standards of Professional Appraisal Practice.

24 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

25 **Case No. 2020-623**

26 1. RESPONDENT has been licensed by the Division as a Licensed Residential
27 Appraiser, License No. A.0007090-RES, since December 5, 2006.

28 2. On or about July 13, 2020, the Division received a complaint regarding an

1 appraisal RESPONDENT conducted on the property located at 4332 Tarkin Ave., Las
2 Vegas, NV 89120 ("subject property"). The complaint claimed RESPONDENT undervalued
3 the property.

4 3. On July 15, 2020, the Division sent RESPONDENT an appraisal complaint
5 opening letter via certified mail. The letter requested RESPONDENT to send the digital
6 copy of the appraisal report for the subject property, including the entire work file, and any
7 supporting documentation, on or before July 27, 2020.

8 4. On July 21, 2020, the Division received the signed certified mail receipt.

9 5. On July 28, 2020, the Division sent a demand letter to RESPONDENT via
10 certified mail, requesting RESPONDENT to send the Division the appraisal report of the
11 subject property and any supporting documentation on or before August 7, 2020.

12 6. As of the date of this filing, the Division has not received any files or
13 correspondence from RESPONDENT regarding the subject property.

14 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

15 **Case No. 2020-623**

16 1. RESPONDENT committed an act of unprofessional conduct, as defined by
17 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
18 documentation after being requested to do so by the Division as part of its investigation of
19 a complaint.

20 2. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
21 the documents and the permission necessary to complete fully an inspection and audit of
22 RESPONDENT's records.

23 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

24 **Case No. 2021-607**

25 1. RESPONDENT has been licensed by the Division as a Licensed Residential
26 Appraiser, License No. A.0007090-RES, since December 5, 2006.

27 2. On or about May 28, 2021, the Division received a complaint regarding an
28 appraisal RESPONDENT conducted on the property located at 925 E McKnight Ave.,

1 Moapa, NV 89025 ("subject property"). The complainant claimed RESPONDENT'S
2 appraisal report contained violations of the Uniform Standards of Appraisal Practice
3 ("USPAP").

4 3. On June 1, 2021, the Division sent RESPONDENT an appraisal complaint
5 opening letter via certified mail. The letter requested RESPONDENT to send to the
6 Division a written response and the digital copy of the appraisal report for the subject
7 property, including the entire work file, and any supporting documentation, on or before
8 June 14, 2021.

9 4. On June 18, 2021, the Division sent a demand letter to RESPONDENT via
10 certified mail, requesting RESPONDENT to send the Division a written response and the
11 digital copy of the appraisal report for the subject property, including the entire work file,
12 and any supporting documentation, on or before July 2, 2021.

13 5. On June 30, 2021, the Division received a signed certified mail receipt for the
14 demand letter.

15 6. On July 26, 2021, after not receiving any documentation from
16 RESPONDENT, the Division sent a notification letter to RESPONDENT via certified mail,
17 informing him that the Division intended to commence disciplinary action by filing a
18 complaint before this Board.

19 7. On August 2, 2021, the Division received a signed certified mail receipt for the
20 notification letter.

21 8. As of the date of this filing, the Division has not received any files or
22 correspondence from RESPONDENT regarding the subject property.

23 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

24 **Case No. 2021-607**

25 1. RESPONDENT committed an act of unprofessional conduct, as defined by
26 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
27 documentation after being requested to do so by the Division as part of its investigation of
28 a complaint.

1 2. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
2 the documents and the permission necessary to complete fully an inspection and audit of
3 RESPONDENT's records.

4 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

5 **Case No. 2021-675**

6 1. RESPONDENT has been licensed by the Division as a Licensed Residential
7 Appraiser, License No. A.0007090-RES, since December 5, 2006.

8 2. On or about June 29, 2021, the Division received a complaint regarding an
9 appraisal RESPONDENT conducted on the property located at 828 Golden Poppy St., Las
10 Vegas, NV 89110 ("subject property"). The complainant claimed RESPONDENT
11 improperly provided a copy of the appraisal report to the opposing party in a divorce
12 proceeding.

13 3. On June 29, 2021, the Division sent RESPONDENT an appraisal complaint
14 opening letter via certified mail. The letter requested RESPONDENT to send to the
15 Division a written response and the digital copy of the appraisal report for the subject
16 property, including the entire work file, and any supporting documentation, on or before
17 July 9, 2021.

18 4. On July 6, 2021, the Division received the signed certified mail receipt for the
19 opening letter.

20 5. On July 26, 2021, the Division sent a demand letter to RESPONDENT via
21 certified mail, requesting RESPONDENT to send the Division a written response and the
22 digital copy of the appraisal report for the subject property, including the entire work file,
23 and any supporting documentation, on or before August 6, 2021.

24 6. On August 2, 2021, the Division received a signed certified mail receipt for the
25 demand letter.

26 7. On August 24, 2021, after not receiving any documentation from
27 RESPONDENT, the Division sent a notification letter to RESPONDENT via certified mail,
28 informing him that the Division intended to commence disciplinary action by filing a

1 complaint before this Board.

2 8. On August 30, 2021, the Division received a signed certified mail receipt for
3 the notification letter.

4 9. As of the date of this filing, the Division has not received any files or
5 correspondence from RESPONDENT regarding the subject property.

6 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

7 **Case No. 2021-675**

8 1. RESPONDENT committed an act of unprofessional conduct, as defined by
9 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
10 documentation after being requested to do so by the Division as part of its investigation of
11 a complaint.

12 2. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
13 the documents and the permission necessary to complete fully an inspection and audit of
14 RESPONDENT's records.

15 **PROPOSED GLOBAL SETTLEMENT FOR ALL MATTERS**

16 In an effort to avoid the time and expense of litigating these issues before the
17 Commission, as well as any possible further legal appeals from any such decision, the
18 parties desire to compromise and settle the instant controversy in *Case No. 2019-585; Case*
19 *No. 2019-751; Case No. 2020-576; Case No. 2020-623; Case No. 2021-607; and 2021-675,*
20 upon the following terms and conditions:

21 1. RESPONDENT agrees to pay the Division a total amount of TWENTY FIVE
22 THOUSAND EIGHT HUNDRED AND THREE DOLLARS AND FIFTY TWO CENTS
23 (\$25,803.52) ("Amount Due"), consisting of EIGHTEEN THOUSAND FIVE HUNDRED
24 DOLLARS AND NO CENTS (\$18,500.00) in fines imposed by the Division, for all violations
25 as pled in the above-summarized Complaints, and the Division's pre-hearing costs and
26 attorneys' fees in the amount of SEVEN THOUSAND THREE HUNDRED AND THREE
27 DOLLARS AND FIFTY TWO CENTS (\$ 7,303.52).

28 2. The Amount Due shall be payable to the Division as follows: RESPONDENT

1 shall pay the entirety of the Amount Due over a three-year period in equal monthly
2 installments. The first payment of \$ 716.76 shall be due beginning thirty (30) days from
3 date of the order approving this Stipulation, and each subsequent payment of \$ 716.76 shall
4 be due by the same date each month thereafter, until the Amount Due is paid in full. Lump
5 sums can be made in pre-payment with no penalties.

6 3. RESPONDENT further agrees to take the following Division approved
7 education courses:

8 In the first year, following the approval of the Stipulation:

- 9 • Not less than a 3-hour course in Nevada Law; and,
- 10 • Not less than a 30-hour course in Appraisal Procedures; or,
- 11 • Not less than a 30-hour course in Appraisal Principles.

12 In the second year, following the approval of the Stipulation:

- 13 • Not less than a 7-hour USPAP course; and,
- 14 • Not less than a 30-hour course in Appraisal Procedures or in Appraisal
15 Principals, whichever of the two subject matters was not chosen and completed
16 by RESPONDENT, during the first year above.

17 In the third year, following the approval of the Stipulation:

- 18 • Not less than a 4-hour of Appraiser Self Protection course; and,
- 19 • Not less than a 4-hour Ethics, Competency, and Negligence course.

20 For a total of not less than 78 hours of continued education set forth herein shall be
21 completed within 36 months of the Appraisal Commission President signing the
22 Stipulation. None of the above listed education will count towards license renewal. Within
23 1 year of completing the required education, the RESPONDENT will submit two (2) months
24 of appraisal logs. The Division will select from those logs random appraisals to be reviewed
25 for USPAP compliance, unless the Division finds additional issues with the appraisals
26 reviewed, in which event the Division shall be permitted to pursue additional investigation

27 4. RESPONDENT and the Division agree that by entering into this Stipulation,
28 the Division does not concede any defense or mitigation RESPONDENT may assert and

1 that, once this Stipulation is approved and fully performed, the Division will close its files
2 in these matters, provided that, if any further violations are discovered in these matters
3 beyond the scope of facts and violations already plead in the Complaints, the Division is
4 not barred from further reviewing any of the same to determine if any such further
5 violations not already covered in the Complaints have taken place and should subject
6 RESPONDENT to further disciplinary action.

7 5. RESPONDENT agrees and understands that by entering into this
8 Stipulation, RESPONDENT is waiving his right to a hearing in each matter at which
9 RESPONDENT may present evidence in his defense, his right to a written decision on the
10 merits of the complaint, his rights to reconsideration and/or rehearing, appeal and/or
11 judicial review, and all other rights which may be accorded by the Nevada Administrative
12 Procedure Act (NRS 233B), the Nevada Appraisers of Real Estate and Appraisal
13 Management Companies laws (NRS 645C & NAC 645C), and the federal and state
14 Constitutions.

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

20 7. RESPONDENT fully understands that he has the right to be represented by
21 legal counsel in these matters at his own expense.

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

24 9. Approval of Stipulation. Once executed, this Stipulation will be filed with the
25 Commission and will be placed on the agenda for approval at its next public meeting. The
26 Division will recommend to the Commission approval of the Stipulation. RESPONDENT
27 agrees that the Commission may approve, reject, or suggest amendments to this
28

1 Stipulation that must be accepted or rejected by RESPONDENT before any amendment is
2 effective.

3 10. Withdrawal of Stipulation. If the Commission rejects this Stipulation or
4 suggests amendments unacceptable to RESPONDENT, RESPONDENT may withdraw
5 from this Stipulation, and the Division may pursue its Complaints before the Commission.
6 This Stipulation then shall become null and void and unenforceable in any manner against
7 either party.

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

18 12. Indemnification. RESPONDENT hereby agrees to indemnify and hold
19 harmless the State of Nevada, the Department of Business and Industry, Petitioner, the
20 Division, and each of their respective members, agents, employees, and counsel, in their
21 individual and representative capacities, against any and all claims, suits, and actions
22 brought against said persons and/or entities by reason of the Division's investigations,
23 these disciplinary actions, and all other matters relating thereto, and against any and all
24 expenses, damages, and costs, including court costs and attorney fees, which may be
25 sustained by the persons and/or entities named in this section as a result of said claims,
26 suits, and actions.

27 13. Default. In the event of default under this Stipulation, RESPONDENT agrees
28 that his license shall be immediately suspended, and the unpaid balance of the

1 administrative fine and costs, together with any attorneys' fees and costs that may have
2 been assessed, shall be due in full to the Division within ten calendar days of the date of
3 default. Debt collection actions for unpaid monetary assessments in this case may be
4 instituted by the Division or its assignee.

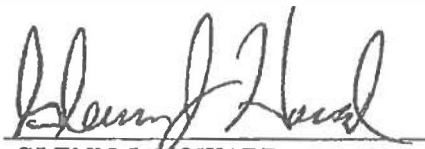
5 14. RESPONDENT has signed and dated this Stipulation only after reading and
6 understanding all terms herein.

7 DATED this 8 day of ~~May~~^{June}, 2022.

DATED this 3rd day of ~~May~~^{June}, 2022.

9 NEVADA DEPARTMENT OF BUSINESS
10 & INDUSTRY, REAL ESTATE DIVISION


11 By: 
12 SHARATH CHANDRA
Administrator

By: 
GLENN J. HOWARD

13 Approved as to form:

Approved as to form:

14 AARON D. FORD
15 Attorney General

16 By: 
17 LOUIS V. CSOKA (Bar. No. 7667)
18 Deputy Attorney General
19 555 E. Washington Avenue, Suite 3900
20 Las Vegas, NV 89101
21 Attorneys for Real Estate Division

By: /s/ Janeen Isaacson
JANEEN ISAACSON (Bar. No. 6429)
Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144-7052
Attorney for Respondent

ORDER

22
23 IT IS ORDERED that the foregoing Modified Stipulation and Order for Global
24 Settlement of Disciplinary Action, submitted by Petitioner and Respondent, is approved in
25 full.

26 Dated: ^{June}~~May~~ 8, 2022.

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COMMISSION OF APPRAISERS OF REAL
ESTATE, STATE OF NEVADA

By: Scott Huggins
President, Nevada Commission of Appraisers of
Real Estate

Submitted by:

AARON FORD, Attorney General

By: /s/ Louis V. Csoka

LOUIS V. CSOKA (Bar No. 7667)
Deputy Attorney General
555 E. Washington Ave. Ste 3900
Las Vegas, Nevada 89101
Attorneys for Real Estate Division

BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE MAY 11 2022

STATE OF NEVADA

NEVADA COMMISSION OF APPRAISERS

Kelly Valadez

SHARATH CHANDRA, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Petitioner,

vs.

GLENN J. HOWARD
(License No. A.0007090-RES),

Respondent.

Case No. 2019-585; Case No. 2019-751; Case
No. 2020-576; Case No. 2020-623; Case No.
2021-607; and 2021-675

**ORDER APPROVING
MODIFIED STIPULATION AND
ORDER
FOR GLOBAL SETTLEMENT
OF DISCIPLINARY ACTIONS**

This matter came on for a hearing before the Nevada Commission of Appraisers of Real Estate (the "Commission") on April 26, 2022. Respondent Glenn J. Howard ("Respondent") appeared with his legal counsel, Janeen Isaacson. Louis V. Csoka, Deputy Attorney General, appeared and prosecuted the Complaints on behalf of Petitioner Sharath Chandra, Administrator of the Real Estate Division, Department of Business and Industry, State of Nevada (the "Division").

I. JURISDICTION

The Respondent is a Licensed Residential Appraiser licensed by the Division, and, therefore, is subject to the Jurisdiction of the Division and the provisions of NRS and NAC Chapters 645C. By availing himself of the benefits and protections of the laws of the State of Nevada, the Respondent has submitted to the jurisdiction of the Division.

II. FACTUAL AND PROCEDURAL BACKGROUND

At the commencement of the hearing on the above-entitled citation matters, the parties presented their full Stipulation for Global Settlement of Disciplinary Actions (the "Stipulation") in all of the above-entitled matters, entered into by and between the Division, by and through their attorney of record, Louis V. Csoka, Deputy Attorney General, and Respondent, by and through his attorney Janeen Isaacson, subject to the approval of the Commission.

1 Members of the Commission discussed the Stipulation and found that it was fair a
2 reasonable, however, the following modifications (the "Modified Terms") should be included
3 therein:

4 Specifically, Page 12, Section 3, should provide as follows:

5 **RESPONDENT further agrees to take the following Division approved**
6 **education courses:**

7 **In the first year, following the approval of the Stipulation:**

- 8 • **Not less than a 3-hour course in Nevada Law; and,**
- 9 • **Not less than a 30-hour course in Appraisal Procedures; or,**
- 10 • **Not less than a 30-hour course in Appraisal Principles.**

11 **In the second year, following the approval of the Stipulation:**

- 12 • **Not less than a 7-hour USPAP course; and,**
- 13 • **Not less than a 30-hour course in Appraisal Procedures or in Appraisal**
14 **Principals, whichever of the two subject matters was not chosen and**
15 **completed by RESPONDENT, during the first year above.**

16 **In the third year, following the approval of the Stipulation:**

- 17 • **Not less than a 4-hour course in Appraiser Self Protection ; and,**
- 18 • **Not less than a 4-hour course in Ethics, Competency, and Negligence.**

19 At the hearing, both parties stipulated and agreed on the record, to incorporate such
20 additional Modified Terms in their Stipulation.

21 Members of the Commission then voted to approve the Stipulation, with the Modified
22 Terms (the "Modified Stipulation"), as being fair and reasonable and consistent with NRS
23 and NAC Chapters 645C, an unexecuted copy of which is attached hereto as Exhibit "1."

24 **ORDER**

25 **IT IS HEREBY ORDERED** that the Modified Stipulation is hereby approved.

26 **IT IS HEREBY FURTHER ORDERED** that, within thirty (30) days from the date of
27 this Order, the parties are to produce a signed copy of the Modified Stipulation, consistent
28 with this Order, to the Division and Commission. If the Modified Stipulation is not executed

1 and returned within the thirty (30) days, this matter will be set for a hearing before the
2 Commission.

3 The Commission retains jurisdiction for correcting any errors that may have
4 occurred in drafting or issuance of this Decision.

5 Pursuant to NRS 645C.520, this Order shall become effective thirty (30) days from
6 the date of this Order, on the 10th day of June, 2022.

7 DATED this 11th day of May, 2022.

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9 COMMISSION OF APPRAISERS OF REAL ESTATE
10 STATE OF NEVADA

11 By: 
12 President, Commission of Appraisers of Real Estate
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BEFORE THE COMMISSION OF APPRAISERS OF REAL ESTATE

STATE OF NEVADA

SHARATH CHANDRA, Administrator,
REAL ESTATE DIVISION, DEPARTMENT
OF BUSINESS & INDUSTRY,
STATE OF NEVADA,

Petitioner,

vs.

GLENN J. HOWARD
(License No. A.0007090-RES),

Respondent.

**Case No. 2019-585; Case No. 2019-751; Case
No. 2020-576; Case No. 2020-623; Case No.
2021-607; and 2021-675**

**MODIFIED STIPULATION AND
ORDER FOR GLOBAL SETTLEMENT
OF DISCIPLINARY ACTIONS**

This Stipulation for Global Settlement of Disciplinary Actions (this "Stipulation") is entered into by and between the State of Nevada, Department of Business and Industry, Real Estate Division ("Division"), through its Administrator Sharath Chandra ("Petitioner"), by and through their attorney of record, Louis V. Csoka, Deputy Attorney General, and Glenn Howard ("RESPONDENT"), by and through his attorney Janeen Isaacson.

RESPONDENT, at all relevant times mentioned in this Complaint, was licensed by the Division as a Licensed Residential Appraiser. He is therefore subject to the jurisdiction of the Division and the Commission and the provisions of NRS chapter 645C and NAC chapter 645C.

SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT

Case No. 2019-585

1. RESPONDENT has been licensed by the Division as a Licensed Residential Appraiser, License No. A.0007090-RES, since December 5, 2006.

2. The Division received an anonymous complaint regarding an appraisal RESPONDENT conducted on the property located at 2942 South Tenaya Way, Las Vegas, NV 89117 ("subject property").

3. RESPONDENT signed the appraisal report for the subject property ("subject report").

1 4. RESPONDENT conducted the appraisal of the subject property for James P
2 & Gwyn M Mitchell.

3 5. The subject report had an effective date and signature date of November 15,
4 2018 and listed the appraised value at \$1,950,000.

5 6. On June 5, 2019, the Division sent a letter to RESPONDENT notifying him
6 about the complaint and requested RESPONDENT to provide a written response and a
7 hard copy of the appraisal report including the entire work file, and any supporting
8 documentation on or before June 19, 2019.

9 7. On June 24, 2019, the Division sent a letter to RESPONDENT notifying him
10 that the Division had not yet received a response from the June 5, 2019, letter. The Division
11 requested a response by July 2, 2019.

12 8. On July 3, 2019, after not receiving any documentation from RESPONDENT,
13 the Division sent a notification letter to RESPONDENT via certified mail, informing him
14 that the Division intended to commence disciplinary action by filing a complaint before this
15 Board.

16 9. On July 19, 2019, RESPONDENT responded via email requesting more time
17 to respond due to a family emergency. The Division granted RESPONDENT's request and
18 allowed him a two-week extension to provide the documents by August 6, 2019.

19 10. On August 8, 2019, after not receiving any documentation from
20 RESPONDENT, the Division sent an additional letter to RESPONDENT via certified mail,
21 requesting a written response and documentation by August 19, 2019.

22 11. In an email dated August 20, 2019, the Division notified RESPONDENT that
23 it had received documentation regarding Case Number 2019-751, but it had not received
24 any documentation regarding the subject property.

25 12. In an email dated August 21, 2019, RESPONDENT admitted that he was
26 hired to perform an appraisal for the subject property by the homeowners' caretaker.
27 RESPONDENT noted he was using the subject property as an educational experience for
28 complex assignment hours.

1 13. RESPONDENT noted that the “owner believes his home is worth more than
2 homes in the area because he has overpaid for very expensive improvements,” and that he
3 “spoke to the owner about homes more similar in value to his home, but [the owner] refused
4 to believe that [those] properties were similar.” All the comparable sales RESPONDENT
5 offered were less than \$1,000,000, and those valuations were difficult for the homeowners
6 to accept.

7 14. RESPONDENT noted he and the homeowners were going to revisit the
8 appraisal at a later date and update the report with a value less than \$1,000,000.

9 15. RESPONDENT admitted he did not have a certified appraiser to work with
10 on complex assignments.

11 16. The work file that RESPONDENT sent to the Division consisted of a tax sheet
12 of the subject property, 3 MLS comparable sales, and 8 photos.

13 17. The subject report was not reviewed by a certified residential appraiser.

14 18. RESPONDENT’s level of licensure does not permit RESPONDENT to perform
15 an appraisal of real property of the subject property’s level of value and complexity.

16 19. The subject report does not disclose RESPONDENT’s lack of knowledge,
17 expertise, or certification to appraise real property of the subject property’s level of value
18 and complexity.

19 20. The subject report does not indicate that it is a draft report.

20 21. The subject report expressed an opinion of value at \$1,950,000, with
21 signatures, and a copy of RESPONDENT’s residential appraiser license.

22 22. The RESPONDENT conducted a sales comparison approach and purported to
23 analyze the data from three comparable sales, valued between \$1,277,100 and \$2,079,200.

24 23. RESPONDENT did not provide comments in the subject report to support the
25 appraisal opinion of value at \$1,950,000.

26 24. On February 27, 2020, the Division sent a follow up email to RESPONDENT
27 noting that the work file the Division received only consisted of a tax sheet of the subject
28 property, 3 MLS comparable sales, and 8 photos. The Division requested the full work file,

1 appraisal report, and any supporting documentation.

2 25. As of the date of this filing, the Division has not received any files or
3 correspondence from RESPONDENT regarding the subject property.

4 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

5 **Case No. 2019-585**

6 1. RESPONDENT committed unprofessional conduct, defined through NRS
7 645C.470(2), and NAC 645C.405(4), by conducting or attempting to conduct an appraisal
8 of a complex property valued at over \$1,000,000, which was outside the scope of a Licensed
9 Residential Appraiser's license pursuant to NRS 645C.280(1)(a).

10 2. RESPONDENT displayed professional incompetence, defined through NRS
11 645C.460(1)(b) and NAC 645C.405, by violating multiple standards and rules set forth by
12 the Uniform Standards of Professional Appraisal Practice.

13 3. RESPONDENT committed an act of unprofessional conduct, as defined by
14 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
15 documentation after being requested to do so by the Division as part of its investigation of
16 a complaint.

17 4. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
18 the documents and the permission necessary to complete fully an inspection and audit of
19 RESPONDENT's records.

20 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

21 **Case No. 2019-751**

22 1. RESPONDENT has been licensed by the Division as a Licensed Residential
23 Appraiser, License No. A.0007090-RES, since December 5, 2006.

24 2. The Division received an anonymous complaint regarding an appraisal
25 RESPONDENT conducted on the property located at 1100 Rancho Circle, Las Vegas, NV
26 89107 ("subject property").

27 3. RESPONDENT signed the appraisal report for the subject property ("subject
28 report").

1 4. RESPONDENT conducted the appraisal of the subject property for North
2 American Financial, Corp.

3 5. The subject report had an effective date and signature date of February 4,
4 2019 and listed the appraised value at \$2,600,000.00.

5 6. In an email dated August 6, 2019, RESPONDENT admitted that he was hired
6 to expedite and assist on an appraisal for the subject property. RESPONDENT noted he
7 was assigned to “do an inspection, take photos, search for comparables, & start the data
8 entry process.” RESPONDENT admitted he inspected the subject property on February 4,
9 2019, and he delivered the subject report that day.

10 7. RESPONDENT’s level of licensure does not permit RESPONDENT to perform
11 an appraisal of real property of the subject property’s level of value and complexity.

12 8. The subject report does not disclose RESPONDENT’s lack of knowledge,
13 expertise, or certification to appraise real property of the subject property’s level of value
14 and complexity.

15 9. The subject report does not indicate that it is a draft report.

16 10. The subject report expressed an opinion of value at \$2,600,000, with
17 signatures, and a copy of RESPONDENT’s residential appraiser license.

18 11. The RESPONDENT conducted a sales comparison approach and purported to
19 analyze the data from three comparable sales, each valued over \$2,000,000.

20 12. Each of the comparable sales RESPONDENT used was significantly different
21 from the subject property.

22 13. RESPONDENT’s sales comparison approach did not include the sale of the
23 home located next door to the subject property, 1200 Rancho Circle, which sold for
24 \$1,400,000 on September 20, 2017. The subject report does not explain why this sale was
25 not considered.

26 14. RESPONDENT appraised the subject property without the supervision of a
27 certified residential appraiser.

28 15. The subject report did not identify the name of any certified residential

1 appraiser who would review the appraisal.

2 16. The subject report affirmed that “no one provided significant real property
3 appraisal assistance to [RESPONDENT].”

4 17. The subject report was not reviewed by a certified residential appraiser.

5 18. RESPONDENT sent an invoice for “full appraisal” to North American
6 Financial, Corp.

7 19. Based upon the allegations in the anonymous complaint, the Division
8 requested a Standard 3 review on the appraisal report for the subject property.

9 20. The Standard 3 review noted that the subject report failed to provide sufficient
10 support to many of RESPONDENT’s conclusions.

11 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

12 **Case No. 2019-751**

13 1. RESPONDENT committed unprofessional conduct, defined through NRS
14 645C.470(2), and NAC 645C.405(4), by conducting or attempting to conduct an appraisal
15 of a complex property valued at over \$1,000,000, which was outside the scope of a Licensed
16 Residential Appraiser’s license pursuant to NRS 645C.280(1)(a).

17 2. RESPONDENT displayed professional incompetence, defined through NRS
18 645C.460(1)(b) and NAC 645C.405, by violating multiple standards and rules set forth by
19 the Uniform Standards of Professional Appraisal Practice.

20 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

21 **Case No. 2020-576**

22 1. RESPONDENT has been licensed by the Division as a Licensed Residential
23 Appraiser, License No. A.0007090-RES, since December 5, 2006.

24 2. The Division received a complaint from Erik Valainis regarding an appraisal
25 RESPONDENT conducted on the property located at 2012 Gault Ct., North Las Vegas, NV
26 89032 (“subject property”).

27 3. Mr. Valainis’ complaint referenced two appraisal reports conducted for the
28 subject property. One appraisal was conducted by Ms. Vivien George. RESPONDENT

1 conducted the other appraisal ("subject report"). The Division audited both reports.

2 4. The subject report had an effective date of November 25, 2019, and a signature
3 date of November 27, 2019. The subject report listed the appraised value at \$100,000.00.

4 5. On July 13, 2020, RESPONDENT responded to the Division via email and
5 attached the subject report along with 52 photos.

6 6. RESPONDENT did not provide a work file for the subject report.

7 7. The subject report did not include research or analysis of Market Conditions,
8 highest and best use, and rationale for comparable sales adjustments or lack of
9 adjustments.

10 8. The subject report did not contain supporting information for
11 RESPONDENT's market area description results, conclusions, characteristics, or trends.

12 9. The subject report did not contain analysis to provide credible market value
13 opinion. It did not contain substantiating reports or analyses of market area trends,
14 conclusions, or characteristics. No rationale or support was provided for the opinion of
15 highest and best use.

16 10. The subject report indicated adjustments were made for condition,
17 heating/cooling, energy-efficient items, garage/carport, and patio. The subject report did
18 not annotate how these adjustments were calculated.

19 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

20 **Case No. 2020-576**

21 1. RESPONDENT displayed professional incompetence, defined through NRS
22 645C.460(1)(b) and NAC 645C.405, by violating multiple standards and rules set forth by
23 the Uniform Standards of Professional Appraisal Practice.

24 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

25 **Case No. 2020-623**

26 1. RESPONDENT has been licensed by the Division as a Licensed Residential
27 Appraiser, License No. A.0007090-RES, since December 5, 2006.

28 2. On or about July 13, 2020, the Division received a complaint regarding an

1 appraisal RESPONDENT conducted on the property located at 4332 Tarkin Ave., Las
2 Vegas, NV 89120 ("subject property"). The complaint claimed RESPONDENT undervalued
3 the property.

4 3. On July 15, 2020, the Division sent RESPONDENT an appraisal complaint
5 opening letter via certified mail. The letter requested RESPONDENT to send the digital
6 copy of the appraisal report for the subject property, including the entire work file, and any
7 supporting documentation, on or before July 27, 2020.

8 4. On July 21, 2020, the Division received the signed certified mail receipt.

9 5. On July 28, 2020, the Division sent a demand letter to RESPONDENT via
10 certified mail, requesting RESPONDENT to send the Division the appraisal report of the
11 subject property and any supporting documentation on or before August 7, 2020.

12 6. As of the date of this filing, the Division has not received any files or
13 correspondence from RESPONDENT regarding the subject property.

14 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

15 **Case No. 2020-623**

16 1. RESPONDENT committed an act of unprofessional conduct, as defined by
17 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
18 documentation after being requested to do so by the Division as part of its investigation of
19 a complaint.

20 2. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
21 the documents and the permission necessary to complete fully an inspection and audit of
22 RESPONDENT's records.

23 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

24 **Case No. 2021-607**

25 1. RESPONDENT has been licensed by the Division as a Licensed Residential
26 Appraiser, License No. A.0007090-RES, since December 5, 2006.

27 2. On or about May 28, 2021, the Division received a complaint regarding an
28 appraisal RESPONDENT conducted on the property located at 925 E McKnight Ave.,

1 Moapa, NV 89025 (“subject property”). The complainant claimed RESPONDENT’S
2 appraisal report contained violations of the Uniform Standards of Appraisal Practice
3 (“USPAP”).

4 3. On June 1, 2021, the Division sent RESPONDENT an appraisal complaint
5 opening letter via certified mail. The letter requested RESPONDENT to send to the
6 Division a written response and the digital copy of the appraisal report for the subject
7 property, including the entire work file, and any supporting documentation, on or before
8 June 14, 2021.

9 4. On June 18, 2021, the Division sent a demand letter to RESPONDENT via
10 certified mail, requesting RESPONDENT to send the Division a written response and the
11 digital copy of the appraisal report for the subject property, including the entire work file,
12 and any supporting documentation, on or before July 2, 2021.

13 5. On June 30, 2021, the Division received a signed certified mail receipt for the
14 demand letter.

15 6. On July 26, 2021, after not receiving any documentation from
16 RESPONDENT, the Division sent a notification letter to RESPONDENT via certified mail,
17 informing him that the Division intended to commence disciplinary action by filing a
18 complaint before this Board.

19 7. On August 2, 2021, the Division received a signed certified mail receipt for the
20 notification letter.

21 8. As of the date of this filing, the Division has not received any files or
22 correspondence from RESPONDENT regarding the subject property.

23 SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT

24 Case No. 2021-607

25 1. RESPONDENT committed an act of unprofessional conduct, as defined by
26 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
27 documentation after being requested to do so by the Division as part of its investigation of
28 a complaint.

1 2. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
2 the documents and the permission necessary to complete fully an inspection and audit of
3 RESPONDENT's records.

4 **SUMMARY OF FACTUAL ALLEGATIONS SET FORTH IN THE COMPLAINT**

5 **Case No. 2021-675**

6 1. RESPONDENT has been licensed by the Division as a Licensed Residential
7 Appraiser, License No. A.0007090-RES, since December 5, 2006.

8 2. On or about June 29, 2021, the Division received a complaint regarding an
9 appraisal RESPONDENT conducted on the property located at 828 Golden Poppy St., Las
10 Vegas, NV 89110 ("subject property"). The complainant claimed RESPONDENT
11 improperly provided a copy of the appraisal report to the opposing party in a divorce
12 proceeding.

13 3. On June 29, 2021, the Division sent RESPONDENT an appraisal complaint
14 opening letter via certified mail. The letter requested RESPONDENT to send to the
15 Division a written response and the digital copy of the appraisal report for the subject
16 property, including the entire work file, and any supporting documentation, on or before
17 July 9, 2021.

18 4. On July 6, 2021, the Division received the signed certified mail receipt for the
19 opening letter.

20 5. On July 26, 2021, the Division sent a demand letter to RESPONDENT via
21 certified mail, requesting RESPONDENT to send the Division a written response and the
22 digital copy of the appraisal report for the subject property, including the entire work file,
23 and any supporting documentation, on or before August 6, 2021.

24 6. On August 2, 2021, the Division received a signed certified mail receipt for the
25 demand letter.

26 7. On August 24, 2021, after not receiving any documentation from
27 RESPONDENT, the Division sent a notification letter to RESPONDENT via certified mail,
28 informing him that the Division intended to commence disciplinary action by filing a

1 complaint before this Board.

2 8. On August 30, 2021, the Division received a signed certified mail receipt for
3 the notification letter.

4 9. As of the date of this filing, the Division has not received any files or
5 correspondence from RESPONDENT regarding the subject property.

6 **SUMMARY OF VIOLATIONS OF LAW ALLEGED IN THE COMPLAINT**

7 **Case No. 2021-675**

8 1. RESPONDENT committed an act of unprofessional conduct, as defined by
9 NRS 645C.480(1)(a), by failing to produce the appraisal report and supporting
10 documentation after being requested to do so by the Division as part of its investigation of
11 a complaint.

12 2. RESPONDENT violated NAC 645C.440 by failing to provide the Division with
13 the documents and the permission necessary to complete fully an inspection and audit of
14 RESPONDENT's records.

15 **PROPOSED GLOBAL SETTLEMENT FOR ALL MATTERS**

16 In an effort to avoid the time and expense of litigating these issues before the
17 Commission, as well as any possible further legal appeals from any such decision, the
18 parties desire to compromise and settle the instant controversy in *Case No. 2019-585; Case*
19 *No. 2019-751; Case No. 2020-576; Case No. 2020-623; Case No. 2021-607; and 2021-675,*
20 upon the following terms and conditions:

21 1. RESPONDENT agrees to pay the Division a total amount of TWENTY FIVE
22 THOUSAND EIGHT HUNDRED AND THREE DOLLARS AND FIFTY TWO CENTS
23 (\$25,803.52) ("Amount Due"), consisting of EIGHTEEN THOUSAND FIVE HUNDRED
24 DOLLARS AND NO CENTS (\$18,500.00) in fines imposed by the Division, for all violations
25 as pled in the above-summarized Complaints, and the Division's pre-hearing costs and
26 attorneys' fees in the amount of SEVEN THOUSAND THREE HUNDRED AND THREE
27 DOLLARS AND FIFTY TWO CENTS (\$ 7,303.52).

28 2. The Amount Due shall be payable to the Division as follows: RESPONDENT

1 shall pay the entirety of the Amount Due over a three-year period in equal monthly
2 installments. The first payment of \$ 716.76 shall be due beginning thirty (30) days from
3 date of the order approving this Stipulation, and each subsequent payment of \$ 716.76 shall
4 be due by the same date each month thereafter, until the Amount Due is paid in full. Lump
5 sums can be made in pre-payment with no penalties.

6 3. RESPONDENT further agrees to take the following Division approved
7 education courses:

8 In the first year, following the approval of the Stipulation:

- 9 • Not less than a 3-hour course in Nevada Law; and,
- 10 • Not less than a 30-hour course in Appraisal Procedures; or,
- 11 • Not less than a 30-hour course in Appraisal Principles.

12 In the second year, following the approval of the Stipulation:

- 13 • Not less than a 7-hour USPAP course; and,
- 14 • Not less than a 30-hour course in Appraisal Procedures or in Appraisal
15 Principals, whichever of the two subject matters was not chosen and completed
16 by RESPONDENT, during the first year above.

17 In the third year, following the approval of the Stipulation:

- 18 • Not less than a 4-hour of Appraiser Self Protection course; and,
- 19 • Not less than a 4-hour Ethics, Competency, and Negligence course.

20 For a total of not less than 78 hours of continued education set forth herein shall be
21 completed within 36 months of the Appraisal Commission President signing the
22 Stipulation. None of the above listed education will count towards license renewal. Within
23 1 year of completing the required education, the RESPONDENT will submit two (2) months
24 of appraisal logs. The Division will select from those logs random appraisals to be reviewed
25 for USPAP compliance, unless the Division finds additional issues with the appraisals
26 reviewed, in which event the Division shall be permitted to pursue additional investigation

27 4. RESPONDENT and the Division agree that by entering into this Stipulation,
28 the Division does not concede any defense or mitigation RESPONDENT may assert and

1 that, once this Stipulation is approved and fully performed, the Division will close its files
2 in these matters, provided that, if any further violations are discovered in these matters
3 beyond the scope of facts and violations already plead in the Complaints, the Division is
4 not barred from further reviewing any of the same to determine if any such further
5 violations not already covered in the Complaints have taken place and should subject
6 RESPONDENT to further disciplinary action.

7 5. RESPONDENT agrees and understands that by entering into this
8 Stipulation, RESPONDENT is waiving his right to a hearing in each matter at which
9 RESPONDENT may present evidence in his defense, his right to a written decision on the
10 merits of the complaint, his rights to reconsideration and/or rehearing, appeal and/or
11 judicial review, and all other rights which may be accorded by the Nevada Administrative
12 Procedure Act (NRS 233B), the Nevada Appraisers of Real Estate and Appraisal
13 Management Companies laws (NRS 645C & NAC 645C), and the federal and state
14 Constitutions.

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

20 7. RESPONDENT fully understands that he has the right to be represented by
21 legal counsel in these matters at his own expense.

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

24 9. Approval of Stipulation. Once executed, this Stipulation will be filed with the
25 Commission and will be placed on the agenda for approval at its next public meeting. The
26 Division will recommend to the Commission approval of the Stipulation. RESPONDENT
27 agrees that the Commission may approve, reject, or suggest amendments to this
28

1 Stipulation that must be accepted or rejected by RESPONDENT before any amendment is
2 effective.

3 10. Withdrawal of Stipulation. If the Commission rejects this Stipulation or
4 suggests amendments unacceptable to RESPONDENT, RESPONDENT may withdraw
5 from this Stipulation, and the Division may pursue its Complaints before the Commission.
6 This Stipulation then shall become null and void and unenforceable in any manner against
7 either party.

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

18 12. Indemnification. RESPONDENT hereby agrees to indemnify and hold
19 harmless the State of Nevada, the Department of Business and Industry, Petitioner, the
20 Division, and each of their respective members, agents, employees, and counsel, in their
21 individual and representative capacities, against any and all claims, suits, and actions
22 brought against said persons and/or entities by reason of the Division's investigations,
23 these disciplinary actions, and all other matters relating thereto, and against any and all
24 expenses, damages, and costs, including court costs and attorney fees, which may be
25 sustained by the persons and/or entities named in this section as a result of said claims,
26 suits, and actions.

27 13. Default. In the event of default under this Stipulation, RESPONDENT agrees
28 that his license shall be immediately suspended, and the unpaid balance of the

1 administrative fine and costs, together with any attorneys' fees and costs that may have
2 been assessed, shall be due in full to the Division within ten calendar days of the date of
3 default. Debt collection actions for unpaid monetary assessments in this case may be
4 instituted by the Division or its assignee.

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

7 DATED this ____ day of May, 2022.

DATED this ____ day of May, 2022.

8
9 NEVADA DEPARTMENT OF BUSINESS
10 & INDUSTRY, REAL ESTATE DIVISION

11 By: _____
12 SHARATH CHANDRA
13 Administrator

By: _____
GLENN J. HOWARD

14 Approved as to form:

Approved as to form:

15 AARON D. FORD
16 Attorney General

17 By: _____
18 LOUIS V. CSOKA (Bar. No. 7667)
19 Deputy Attorney General
20 555 E. Washington Avenue, Suite 3900
21 Las Vegas, NV 89101
22 Attorneys for Real Estate Division

By: _____
JANEEN ISAACSON (Bar. No. ____)
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9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144-7052
Attorney for Respondent

23 ORDER

24 IT IS ORDERED that the foregoing Modified Stipulation and Order for Global
25 Settlement of Disciplinary Action, submitted by Petitioner and Respondent, is approved in
26 full.

27 Dated: May ____, 2022.
28

1 COMMISSION OF APPRAISERS OF REAL
2 ESTATE, STATE OF NEVADA

3 By: _____
4 President, Nevada Commission of Appraisers of
Real Estate

5 Submitted by:

6
7 AARON FORD, Attorney General

8
9 By:

/s/ Louis V. Csoka

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