



March 24, 2022

Case # 202-246, AP2 0.033.S

To whom it may concern:

This is my answer to the Complaint filed against me by the State of Nevada. It is my understanding that I am to “answer the Complaint” within 30 days, so here is what I have to say.

1. I am NOT guilty of any of the charges stated against me.
2. I have been instructed to detail every single charge and substantiate the basis of my innocence. I read somewhere that you want 10 copies of this documentation. I am refusing to do this – the State of Nevada already has that detailed documentation, and it has been in their possession for well over a year. When I sent in the first rebuttal, it was over 119 pages in length and many pages were added during a second rebuttal. You already have this information at your disposal.
3. I do have an example of what kinds of charges I am faced with – look at the one about using the “wrong” cost data from an outdated cost data source. Now, these 3 reviewers know full well that Marshall and Swift only updates individual pages as changes are made quarterly, but they keep the prior pages with earlier dates if there have been no changes. These 3 reviewers know this - Marshall and Swift is one of the largest cost estimating services in the US. It so happened that the cost page for the SP (subject property) had not been changed since 2018 and but it was still current in Jan of 2020. So, the date of 2018 was still at the bottom of the page. Nothing wrong – that is just the way Marshall and Swift works. Yet, I am still being charged with the use of that data as if I committed a crime. I don't control how this publisher conducts their business.
4. I would advise the Commission to carefully review the video of my August 17th hearing – it was a farce. During that hearing, the review team of Stoddard, Snow and Kimmel consistently ignored everything I said and every document I had already presented. They simply accused me over and over. They NEVER “proved” their case. Stoddard spent some time giving me sales comparables he said I should have used. But the subject property is located in a cramped, interior site with no view and every single comp

Stoddard threw out at me had a superior view, larger site, GLA etc. I was insistent about this and finally, he verbally admitted that all his comps had views, but the subject property did not. Then he proceeded to smirk and pronounce that the state's case against me was "proven"! What a joke.

5. I was astonished when Snow and Kimmel went along with him each and every time as if he were some kind of god that terrified them. At one point, Kimmel stated "well, I guess if they want to get you, they will get you". He did not agree with what was going on but went along with it anyway.
6. At the beginning of that hearing, Silva was reading the charges against me, he edited and re-worded what my appraisal did in fact state to make it sound like a statement that was not written in my report. When I objected, he refused to acknowledge this and none of the 3 reviewers spoke up.

Considering all the above, there is no way that I am going to waste time and energy going over the minutia again and again. I have been treated disrespectfully from the beginning. One of the ironies is that Swenson and McBride were not deprived of their loan on the basis of my appraisal – that loan closed prior to their submission of the complaint.

During the Aug 17th hearing, Stoddard was consistently ugly, nasty and determined to do me personal harm. I have pondered this and concluded that he had ulterior motives and the outcome of this "hearing" was predetermined. Valadez actually sent me a page outlining my "punishment" prior to the hearing.

I wondered if Stoddard was the one who helped Wally Czekalski do the original review, which I hammered when I first read it. Jaye Lindsay vehemently denied that Wally was involved in this review in any way. But unfortunately for her, Wally told me face to face that he had, in fact, performed that initial review. This is problematic. Wally is licensed in Pennsylvania, not Nevada. I must have injured Stoddard's pride with my rebuttal, and he was out for personal revenge. The truth simply did not matter to any of these people.

Now, about the point of revoking my license – I would point out that I filled out and turned in the application to place my license on Inactive status back in the fall of 2021. Jaye Lindsay has refused to do her job and still has not placed me on Inactive status as I requested. "Revoking" my license is a little

redundant, don't you think? I performed my last appraisal in early September. Then Jaye Lindsay apparently pressured Barbara Cegavske by asking her to refuse to dissolve Aspen Appraisal Services. Thankfully, Ms. Cegavske is a person of integrity who complied with the law and ignored Lindsay's request.

I must presume that Jaye Lindsay has refused to honor my request to put me on Inactive status at the bidding of someone higher in the department. Sharath Chandra perhaps?

The current hearing that is scheduled for 8 months after the initial hearing of Aug 17th is about something else. This court action being leveled at me now is NOT about my appraisal. It is really about the fact that I refused to sign that Stipulation/hold harmless agreement and Chandra is nervous.

I am well aware that the State Board of Appraisal has been very successful in using these intimidation tactics to protect itself from legal consequences. Most appraisers just docily take the classes and sign away their legal Constitutional rights. This appraiser did not, and will not, do that.

Conclusion – I have some questions for the people on the RE Commission, the Appraisal Board and from Aaron Ford's office – why are you doing this? I am not a criminal, I am not incompetent, I am not a danger to society. I have committed no transgression against any person or entity that I should deserve these threats from you. My only "crime" is believing that it would be wrong to use obviously inferior sales data for a property that I appraised for a lender in good faith. The fact that an appraiser named Derek Stoddard chose to willfully slam me, even after admitting that his data was faulty, does not convict me of anything.

The State of Nevada has already forced me to leave a 35-year profession that I practiced with integrity and joy. Isn't that retribution enough for offending Mr. Stoddard's pride? For offending someone else's pride? Tell me, if you can, how continuing to harass me, how using tactics of bullying and intimidation, how threatening to publicly rebuke me, serves any legitimate purpose? Who in the State of Nevada has anything to gain from all this? I have been willing to end all this conflict reasonably. Why aren't you?

There is also threat of exorbitant fines being levied against me and destroying my credit report. Jaye Lindsay told me during the Aug 17th farce that I can expect that from the Commission if I refuse to cooperate with her and sign the Stipulation/hold harmless agreement. I have done nothing to deserve that either. Tell me, does destroying this citizen financially have any benefit for the State of Nevada? I don't have a lot of money and this extended period of not having work has taken a serious financial toll on me. I couldn't pay you even if I were inclined to do so. What motivates all of you people to do what you are doing? Are you enjoying wielding your power over me in this way? Does that give you some twisted satisfaction? Of course, I won't sign a hold harmless agreement. Why would I when you have already done a great deal of harm!

This whole affair has become nothing more than a malicious act of revenge – malignant, poisonous and evil in every way.

Regards,



Adrienne Wagner