

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,

8 Petitioner,

9 vs.

10 ALFONSO A. CAMINO
11 (License No. A.0001257-CR),

12 Respondent.

Case No. 2017-989, AP17.032.S

**COMPLAINT AND NOTICE OF
HEARING**

FILED

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NEVADA COMMISSION OF APPRAISERS

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13 State of Nevada, Department of Business and Industry, Real Estate Division (“the
14 Division”), by and through counsel, Attorney General AARON D. FORD and Deputy
15 Attorney General Phil W. Su, Esq., hereby notifies ALFONSO A. CAMINO
16 (“RESPONDENT”) of an administrative complaint and hearing which is to be held
17 pursuant to Chapter 233B and Chapter 645C of the NRS and Chapter 645C of the
18 Nevada Administrative Code (“NAC”). The purpose of the hearing is to consider the
19 allegations stated below and to determine if the Respondent should be subject to a
20 disciplinary penalty as set forth in NRS 645C and or NAC 645C, if the stated allegations
21 are proven at the hearing by the evidence presented.

22 **JURISDICTION**

23 The Respondent was at all relevant times mentioned in this Complaint licensed by
24 the Division as a Certified Residential Appraiser under license number A.0001257-CR,
25 and therefore, is subject to the Jurisdiction of the Division and the provisions of NRS and
26 NAC Chapter 645C. By availing himself of the benefits and protections of the laws of the
27 State of Nevada, the Respondent has submitted to the jurisdiction of the Division.

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1 **PROCEDURAL HISTORY**

2 1. The Respondent is currently licensed by the Division as a Certified
3 Residential Appraiser, License No. A.0001257-CR, with an expiration of September 30,
4 2023. See Division's Exhibit ("D-EX") at 0214.

5 2. On or about May 31, 2017, the Division received a complaint/statement of
6 fact from Complainant Kim Alexander, asserting that Respondent completed an estate
7 settlement appraisal ("Respondent's Appraisal Report") of a property at 1220 Cheyenne
8 Court, Boulder City, NV 89005 ("the Property"), with false, inaccurate, and/or incorrect
9 data, resulting in a low valuation. "D-EX" at 0035-0036.

10 3. The Division opened an investigation into this matter on or about May 31,
11 2017. "D-EX" at 0057.

12 4. Following the Division's investigation, the Division determined that the
13 evidence collected showed potential violations of USPAP and recommended the case for
14 presentation before the Appraisal Advisory Review Committee. See "D-EX" at 0184-0191.

15 5. The Appraisal Advisory Review Committee convened on April 13, 2021, to
16 consider the case but the Division was unable to contact the Respondent. Accordingly, the
17 Division recommended this case to the Nevada Commission of Appraisers of Real Estate
18 ("Commission") for filing of a formal complaint against Respondent. See "D-EX" at 0213.

19 **FACTUAL ALLEGATIONS**

20 6. The May 31, 2017 complaint/statement of fact asserted that the
21 Respondent's Appraisal Report relied upon old appraisal data that did not reflect
22 architectural changes made to the property, including conversion of a two-car garage into
23 a family room and 3rd full bathroom, among other alleged omissions and disregarded data;
24 and that the report was produced two days after the death of the decedent, which
25 occurred on January 22, 2017. "D-EX" at 0035-0036.

26 7. The complaint/statement of fact, as received by the Division, contained a
27 copy of Respondent's Appraisal Report, which contained handwritten annotations by the
28 Complainant in support of her statements of fact. "D-EX" at 0009-0056.

1 8. A second appraisal of the property was performed on May 15, 2017, by
2 another appraiser, Vance D. Randall, Lic. # A.0007808-CR, at the request of, and paid for
3 by, Complainant. "D-EX" at 0100-0125.

4 9. The Division notified Respondent of the complaint/statement of fact and its
5 subsequent investigation by correspondence dated May 31, 2017, wherein the investigator
6 requested Respondent's response and entire work file. "D-EX" at 0057.

7 10. The Respondent timely responded to the complaint/statement of fact on June
8 9, 2017, asserting that the complaint/statement of fact was centered primarily upon a
9 family dispute rather than home value; that the county record is "very supportive of the
10 basic home information... provided in [his] report"; that the condition of the property
11 warranted an adjustment in relation to the selected comparables, all of which had been
12 updated and renovated; and that Vance Randall's May 2017 appraisal was performed
13 months later and was not a retrospective appraisal, such that it was not comparable to
14 Respondent's Appraisal Report. "D-EX" at 0060.

15 11. Attached to his response, the Respondent provided a clean copy of the
16 Respondent's Appraisal Report, as well as a copy of Vance Randall's subsequent
17 appraisal. "D-EX" at 0061-0101; 0102-0125.

18 12. The Respondent's Appraisal Report of the property located at 1220 Cheyenne
19 Ct., Boulder City, NV 89005, APN 186-09-712-041 ("Property"), identified the property as
20 a single story, 1557 sq. ft, 3-bedroom, 2-bathroom home; stated that that the intended use
21 of the Report was for "Estate Settlement;" and contained a value conclusion for the
22 Property at \$205,000.00 effective January 24, 2017. *See* "D-EX" at 0071-0072.

23 13. Page 1 of Respondent's Appraisal Report notes that the property is in
24 "average condition," that "[w]ater heater has no straps," and refers to an attached
25 addendum. *See* "D-EX" at 0072.

26 14. The addendum states, under "Clarification of Intended Use and Intended
27 User," that the Intended User of this appraisal report is "Atty. Bruce Woodbury (the
28 attorney for the estate of the deceased owner) and their assignees," and that the intended

1 use of the appraisal was for a “mortgage finance transaction.” See “D-EX” at 0077.

2 15. The property photographs, floorplan sketch, and hand-drawn sketches
3 attached to Respondent’s Appraisal Report only identified two (2) bathrooms. See “D-EX”
4 at 0081-0082; 0087; 0098.

5 16. The subsequent Appraisal Report performed by Vance Randall at the
6 request of Complainant identified the property as containing 1566 sq. ft of livable space
7 and containing three (3) bathrooms; and contained a value conclusion for the Property at
8 \$235,000.00, effective May 15, 2017. See “D-EX” at 0102-0105.

9 **VIOLATIONS OF LAW**

10 The Respondent failed to prepare the appraisal report for the Property in
11 Compliance with the Standards of the Appraisal Foundation. These Standards are
12 published in the Uniform Standards of Professional Appraisal Practice (“USPAP”)
13 adopted by the Appraisal Standards Board of the Appraisal Foundation, as authorized by
14 Congress, and adopted in Nevada by NAC 645C.400.¹

15 **First Violation**

16 The USPAP ETHICS RULE requires that an appraiser must not perform an
17 assignment in a grossly negligent manner. An appraiser must comply with USPAP when
18 obligated by law or regulation, or by agreement with the client or intended users.
19 Respondent violated the USPAP ETHICS RULE, as codified in NAC 645C.405(1), by
20 performing the assignment in a grossly negligent manner. The Respondent’s actions
21 constitute unprofessional conduct, pursuant to NRS 645C.470(2) and grounds for
22 disciplinary action pursuant to NRS 645C.460(1)(a) and/or (b).

23 **Second Violation**

24 The USPAP SCOPE OF WORK RULE requires that for each appraisal and
25 appraisal review assignment, an appraiser must: (1) identify the problem to be solved; (2)

26
27 ¹ The 2016-2017 edition of USPAP, effective January 1, 2016, through December 31, 2017, is
28 applicable to and utilized for this Complaint.

1 determine and perform the scope of work necessary to develop credible assignment
2 results; and (3) disclose the scope of work in the report. The SCOPE OF WORK RULE
3 requires description of the type and extent of data researched; and the extent of analyses
4 applied to arrive at opinions or conclusions. Credible assignment results require support
5 by relevant evidence and logic. The Respondent violated the USPAP SCOPE OF WORK
6 RULE, as codified in NAC 645C.405(1), by failing to provide the basis for information
7 specific to adjustments made to comparable sales as reported in his Appraisal Report, and
8 by relying upon inaccurate information in the subject appraisal report. The Respondent's
9 actions constitute unprofessional conduct, pursuant to NRS 645C.470(2) and grounds for
10 disciplinary action pursuant to NRS 645C.460(1)(a) and/or (b).

11 **Third Violation**

12 USPAP Standards Rule 1-1(b) requires that in developing a real property
13 appraisal, an appraiser must not commit a substantial error of omission or commission
14 that significantly affects an appraisal. By developing a real property appraisal and
15 making numerous and substantial errors through both omission and commission, which
16 significantly affected the appraisal, the Respondent violated USPAP Standards Rule 1-
17 1(b), as codified in NAC 645C.405(1). This is unprofessional conduct pursuant to NRS
18 645C.470(2) and grounds for disciplinary action, pursuant to NRS 645C.460(1)(a) and/or
19 (b).

20 **Fourth Violation**

21 USPAP Standards Rule 1-1(c) requires that an appraiser not render appraisal
22 services in a careless or negligent manner, such as by making a series of errors that,
23 although individually might not significantly affect the results of an appraisal, in the
24 aggregate affects the credibility of those results. In making this real property appraisal in
25 a careless or negligent manner, the Respondent made a series of errors that, although
26 individually might not have significantly affected the results of the appraisal, in the
27 aggregate did affect the credibility of the appraisal, and therefore Respondent violated
28 USPAP Standards Rule 1-1(c), as codified in NAC 645C.405(1). The Respondent's actions

1 constitute unprofessional conduct pursuant to NRS 645C.470(3) and grounds for
2 disciplinary action pursuant to NRS 645C.460(1)(a) and/or (b).

3 **Fifth Violation**

4 USPAP Standards Rule 1-2(c) requires that, in developing a real property
5 appraisal, an appraiser must identify the characteristics of the property that are relevant
6 to the type and definition of value. Respondent violated USPAP Standards Rule 1-2(c), as
7 codified in NAC 645C.405(1), by failing to identify and analyze the type and definition of
8 value as required under this rule. The Respondent's actions constitute unprofessional
9 conduct pursuant to NRS 645C.470(2) and grounds for disciplinary action, pursuant to
10 NRS 645C.460(1)(a) and/or (b).

11 **Sixth Violation**

12 USPAP Standards Rule 1-2(d) states that in developing a real property appraisal,
13 an appraiser must identify the effective date of the appraiser's opinions and conclusions.
14 Respondent violated USPAP Standards Rule 1-2(d), as codified in NAC 645C.405(1), by
15 identifying the effective date of this 'estate settlement' report on a date other than the
16 date of death of decedent. This is unprofessional conduct pursuant to NRS 645C.470(2)
17 and grounds for disciplinary action, pursuant to NRS 645C.460(1)(a) and/or (b).

18 **Seventh Violation**

19 USPAP Standards Rule 1-2(h) requires that each written or oral real property
20 appraisal report determine the scope of work necessary to produce credible assignment
21 results in accordance with the SCOPE OF WORK RULE. Respondent violated USPAP
22 Standards Rule 1-2(h), as codified in NAC 645C.405(1), by failing to specify the basis for
23 information specific to adjustments made to comparable sales as reported in his Appraisal
24 Report and by relying upon inaccurate information in the subject appraisal report. This is
25 unprofessional conduct pursuant to NRS 645C.470(2) and grounds for disciplinary action,
26 pursuant to NRS 645C.460(1)(a) and/or (b).

27 **Eighth Violation**

28 USPAP Standards Rule 1-3(b) requires that each written or oral real property

1 appraisal report must: (b) develop an opinion of the highest and best use of the real
2 estate. Respondent violated USPAP Standards Rule 1-3(b), as codified in NAC
3 645C.405(1), by checking the highest and best use box on the form but failed to provide
4 any discussion within the report or evidence in the work file as to how this was developed.
5 This is unprofessional conduct pursuant to NRS 645C.470(2) and grounds for disciplinary
6 action, pursuant to NRS 645C.460(1)(a) and/or (b).

7 **Ninth Violation**

8 USPAP Standards Rule 1-4(a) requires that when a sales comparison approach is
9 necessary for credible assignment results, the analysis must include such comparable
10 sales data as are available to indicate a value conclusion. Respondent violated USPAP
11 Standards Rule 1-4(a), as codified in NAC 645C.405(1), by failing to provide the basis for
12 information specific to adjustments made to comparable sales as reported in his Appraisal
13 Report. This is unprofessional conduct pursuant to NRS 645C.470(2) and grounds for
14 disciplinary action, pursuant to NRS 645C.460(1)(a) and/or (b).

15 **Tenth Violation**

16 USPAP Standards Rule 1-6(a) requires that each written or oral real property
17 appraisal report must reconcile the quality and quantity of data available and analyzed
18 within the approaches used. Respondent violated USPAP Standards Rule 1-6(a), as
19 codified in NAC 645C.405(1), by failing to perform the necessary reconciliation analysis.
20 This is unprofessional conduct pursuant to NRS 645C.470(2) and grounds for disciplinary
21 action, pursuant to NRS 645C.460(1)(a) and/or (b).

22 **Eleventh Violation**

23 USPAP Standards Rule 1-6(b) requires that each written or oral real property
24 appraisal report must reconcile the applicability or suitability of the approaches used to
25 arrive at the value conclusion(s). Respondent violated USPAP Standards Rule 1-6(b), as
26 codified in NAC 645C.405(1), by failing to develop the basis for the cost approach to value
27 in support of the value conclusion. This is unprofessional conduct pursuant to NRS
28 645C.470(2) and grounds for disciplinary action, pursuant to NRS 645C.460(1)(a) and/or

1 (b).

2 **Twelfth Violation**

3 USPAP Standards Rule 2-1(a) requires that an Appraisal Report clearly and
4 accurately set forth the appraisal in a manner that will not be misleading. Respondent
5 violated USPAP Standards Rule 2-1(a), as codified in NAC 645C.405(1), by inaccurately
6 and inconsistently identifying the intended use of the report and details of the property.
7 The Respondent's actions constitute unprofessional conduct pursuant to NRS 645C.470(2)
8 and grounds for disciplinary action pursuant to NRS 645C.460(1)(a) and/or (b).

9 **Thirteenth Violation**

10 USPAP Standards Rule 2-1(b) requires that an Appraisal Report must contain
11 sufficient information to enable the intended users of the appraisal to understand the
12 report properly. Respondent violated USPAP Standards Rule 2-1(b), as codified in NAC
13 645C.405(1), by inaccurately and inconsistently identifying information in the subject
14 report. The Respondent's actions constitute unprofessional conduct pursuant to NRS
15 645C.470(2) and grounds for disciplinary action pursuant to NRS 645C.460(1)(a) and/or
16 (b).

17 **Fourteenth Violation**

18 USPAP Standards Rule 2-2(a)(ii) requires that the content of the Appraisal Report
19 be consistent with intended use of the appraisal and, at a minimum: (ii) state the
20 intended use of the appraisal. Respondent violated USPAP standards Rule 2-2(a)(ii), as
21 codified in NAC 645C.405(1), by inaccurately and inconsistently identifying the intended
22 use of the report. The Respondent's actions constitute unprofessional conduct pursuant to
23 NRS 645C.470(2) and grounds for disciplinary action pursuant to NRS 645C.460(1)(a)
24 and/or (b).

25 **Fifteenth Violation**

26 USPAP Standards Rule 2-2(a)(iii) requires that the content of the Appraisal Report
27 be consistent with intended use of the appraisal and, at a minimum: (iii) (a) describe or
28

1 (b) summarize information sufficient to identify the real estate involved in the appraisal,
2 including the physical and economic property characteristics relevant to the assignment;
3 and (c) state information sufficient to identify the real estate involved in the appraisal.
4 Respondent violated USPAP standards Rule 2-2(a)(iii), as codified in NAC 645C.405(1),
5 by inaccurately and inconsistently identifying the physical and economic characteristics
6 of the property. The Respondent's actions constitute unprofessional conduct pursuant to
7 NRS 645C.470(2) and grounds for disciplinary action pursuant to NRS 645C.460(1)(a)
8 and/or (b).

9 **Sixteenth Violation**

10 USPAP Standards Rule 2-2(a)(vi) requires that the content of the Appraisal Report
11 be consistent with intended use of the appraisal and, at a minimum: (vi) state the
12 effective date of the appraisal and the date of the report. Respondent violated USPAP
13 standards Rule 2-2(a)(vi), as codified in NAC 645C.405(1), by misidentifying either the
14 effective date of the appraisal and/or the date of the report. The Respondent's actions
15 constitute unprofessional conduct pursuant to NRS 645C.470(2) and grounds for
16 disciplinary action pursuant to NRS 645C.460(1)(a) and/or (b).

17 **Seventeenth Violation**

18 USPAP Standards Rule 2-2(a)(viii) requires that the content of the Appraisal
19 Report be consistent with the intended use of the appraisal and, at a minimum: (viii) (a)
20 describe or (b) summarize the information analyzed, the appraisal methods and
21 techniques employed, and the reasoning that supports the analyses, opinions, and
22 conclusions; exclusions of the sales comparison approach, cost approach, or income
23 approach must be explained. Respondent violated USPAP standards Rule 2-2(a)(viii), as
24 codified in NAC 645C.405(1), by failing to include a summary of the information analyzed,
25 the methods and techniques employed, and the reason that supports the analysis,
26 opinions, and conclusions. The appraisal report includes no evidence to adequately
27 explain the exclusions of the income approach and/or cost approach. The Respondent's
28 actions constitute unprofessional conduct pursuant to NRS 645C.470(2) and grounds for

1 disciplinary action pursuant to NRS 645C.460(1)(a) and/or (b).

2 **Eighteenth Violation**

3 USPAP Standards Rule 2-2(a)(x) requires that, when an opinion of highest and
4 best use was developed by the appraiser, summarize the support and rationale for that
5 opinion. Respondent violated USPAP Standards Rule 2-2(a)(x), as codified in NAC
6 645C.405(1), by failing to include a discussion in the report or evidence in the work file as
7 to how the highest and best use was determined. The Respondent's actions constitute
8 unprofessional conduct pursuant to NRS 645C.470(2) and grounds for disciplinary action
9 pursuant to NRS 645C.460(1)(a) and/or (b).

10 **DISCIPLINE AUTHORIZED**

11 12. Pursuant to NRS 645C.460(2), if grounds for disciplinary action against an
12 appraiser are found to exist for unprofessional conduct, the Commission may revoke or
13 suspend the certificate, place conditions upon the certificate, deny the renewal of his or
14 her certificate, and/or impose a fine up to \$10,000.00 per violation.

15 13. Additionally, under NRS Chapter 622.400, the Commission is authorized to
16 impose the costs of the proceeding upon the Respondent, including investigative costs and
17 attorney's fees, if the Commission otherwise imposes discipline on the Respondent.

18 14. Therefore, the Division requests the Commission to impose such discipline as
19 it determines is appropriate under the circumstances and to award the Division its costs
20 and attorney's fees for this proceeding.

21 **PLEASE TAKE NOTICE** that a disciplinary hearing has been set to consider this
22 Administrative Complaint against the above-named Respondent in accordance with
23 Chapter 233B and Chapter 645C of the Nevada Revised Statutes and Chapter 645C of the
24 Nevada Administrative Code.

25 **THE HEARING WILL TAKE PLACE** at the Commission meeting(s)
26 scheduled for April 4-6, 2023, beginning at approximately 9:00 a.m. each day, or
27 until such time as the Commission concludes its business. The Commission
28 meeting will be held at the Nevada State Business Center, 3300 W. Sahara

1 Avenue, Nevada Room, 4th Floor, Nevada Room Las Vegas, Nevada 89102, with
2 video conference to: Department of Business & Industry 1818 E. College
3 Parkway suite 103, Carson City, Nevada 89706.

4 **STACKED CALENDAR:** Your hearing is one of several hearings that may
5 be scheduled at the same time as part of a regular meeting of the Commission
6 that is expected to take place on April 4-6, 2023. Thus, your hearing may be
7 continued until later in the day or from day to day. It is your responsibility to
8 be present when your case is called. If you are not present when your case is
9 called, a default may be entered against you, and the Commission may decide
10 the case as if all allegations in the complaint were true. If you need to negotiate
11 a more specific time for your hearing in advance, because of coordination with
12 out of state witnesses or the like, please call Maria Gallo, Commission
13 Coordinator, at (702) 486-4074.

14 **YOUR RIGHTS AT THE HEARING:** Except as mentioned below, the hearing is an
15 open meeting under Nevada's open meeting Law (OML) and may be attended by the
16 public. After the evidence and arguments, the Commission may conduct a closed meeting
17 to discuss your alleged misconduct or professional competence. You are entitled to a copy
18 of the transcript of the open and closed portions of the meeting, although you must pay for
19 the transcription.

20 As the Respondent, you are specifically informed that you have the right to appear
21 and be heard in your defense, either personally or through your counsel of choice. At the
22 hearing, the Division has the burden of proving the allegations in the complaint and will
23 call witnesses and present evidence against you. You have the right to respond and to
24 present relevant evidence and argument on all issues involved. You have the right to call
25 and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any
26 matter relevant to the issues involved.

27 You have the right to request that the Commission issue subpoenas to compel
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1 witnesses to testify and/or evidence to be offered on your behalf. In making this request,
2 you may be required to demonstrate the relevance of the witnesses' testimony and/or
3 evidence. Other important rights you have are listed in NRS Chapter 645C, NRS
4 Chapter 233B, and NAC Chapter 645C.

5
6 DATED: this 2 day of March, 2023.

7
8 NEVADA REAL ESTATE DIVISION

9
10 By: 
11 SHARATH CHANDRA, Administrator
12 3300 W. Sahara Avenue, Suite 350
13 Las Vegas, Nevada 89102
14 (702) 486-4033

15 DATED: this 2nd day of March, 2023.

16 AARON D. FORD
17 Attorney General

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