

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

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

9 Petitioner,

10 vs.

11 BONNIE M. ARCELLA  
12 A.0207063-CR

13 Respondent.

) STIPULATION FOR SETTLEMENT  
) OF DISCIPLINARY ACTION  
) PURSUANT TO NAC 645C.610 (3)  
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) Case No. 2022-36, AP22.018.S  
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14 STIPULATION FOR SETTLEMENT OF DISCIPLINARY

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

16 **1. PARTIES.** This Stipulation is entered into by and between the Petitioner, the REAL  
17 ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA (the "Division"),  
18 by and through its Administrator, SHARATH CHANDRA (the "Administrator"), and the Respondent,  
19 BONNIE M. ARCELLA (whether one or more hereinafter the "Respondent"), who at relevant time  
20 was licensed by the State of Nevada, license number(s) A.0207063-CR. This Stipulation is entered  
21 into upon mutual agreement with the decision of the Appraisal Advisory Review Committee (the  
22 "AARC"), which was reached at its informal conference held on JUNE 4, 2024, virtually via Webex.  
23 Members of the AARC present were Tom Boice, Chairperson, Kristen Lowe and William Kimmel.

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

27 **3. FINDINGS.** The AARC has found that the Respondent, while licensed, certified or  
28 registered as a Nevada Appraiser, committed violations of chapter 645C of Nevada Revised Statutes  
and Nevada Administrative Code and/or USPAP. A description of the conduct in which these

1 violations were committed is set forth in specificity in the Summary of Facts which is attached  
2 hereto as EXHIBIT "A". The Administrator has the authority, pursuant to NAC 645C.600 (2), to  
3 establish an advisory committee in an attempt to review this matter informally and recommend a  
4 resolution.

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

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

17 **AARC Committee Recommendations**

18 **Not less than 4-hour course Missing Explanations**  
19 **Not less than 4-hour course Sales Comparison Approach Reconciliation**  
20 **Not Less than 4-hour course Mastering Market-based Adjustments**

21 **For a total of not less than 12 hours continued education to be completed within 3 months of the**  
22 **Appraisal Commission President signing the Stipulated Agreement, none of the above listed**  
23 **education will count toward license renewal.**

24 **b. Public Record.** RESPONDENT and the DIVISION agree that by entering into this  
25 Stipulation, the DIVISION does not concede any defense or mitigation RESPONDENT may assert,  
26 and the parties agree that the DIVISION will not publicize the instant disciplinary matter, except as  
27 set forth below, and that once this Stipulation is approved and fully performed, the DIVISION will  
28 close its file in this matter. RESPONDENT understands that the public records law may require the  
DIVISION to make available for inspection this Stipulation and related documents. RESPONDENT

also understands that the DIVISION may share the content of this Stipulation and related documents with any governmental or professional organization or member of the public;

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

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

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

18       **f.       Waiver by Respondent.** RESPONDENT agrees and understands that by entering  
19 into this Stipulation, RESPONDENT is waiving his/her right to a hearing at which RESPONDENT may  
20 present evidence in his/her defense and to be represented by counsel, to judicial review of any  
21 adverse decision by the Commission, and to present his/her defense to a Commission which has  
22 had no prior familiarity with the instant matter. The Commission members who review this  
23 matter for approval of this Stipulation may be the same members who ultimately hear the  
24 DIVISION'S complaint if this Stipulation is either not approved by the Commission or is not timely  
25 performed by RESPONDENT; and

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

28       **6.       RELEASE.** In consideration of execution of this Stipulation, the Respondent for  
himself/herself or his/her heirs, executors, administrators, successors, and assigns, hereby  
release, remiss, and forever discharge the State of Nevada, the Department of Business and

1 Industry of the State of Nevada, the Division, and each of their members, agents, and employees  
2 in their individual and representative capacities, from any and all manner of actions, causes of  
3 action, suits, debts, judgments, executions, claims, and demands whatsoever, known and  
4 unknown, in law or equity, that the Respondents ever had, now has, may have, or claims to have  
5 against any or all of the persons or entities named in this section, arising out of or by reason of the  
6 Division's investigation, this disciplinary action, or any other matter relating thereto.

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

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

20 **9. SETTLEMENT DISCUSSIONS NOT EVIDENCE.** Any statements made during the  
21 discussions leading up to this Stipulation may not be discussed or introduced into evidence at any  
22 hearing. However, evidence of the Respondent's failure to abide by the terms of any Stipulation  
23 entered into with the Division, may be introduced at a hearing and used against the Respondent.

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

Dated: 6/27/2024

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

By:   
Sharath Chandra  
Administrator

Dated: June 25, 2024

  
Respondent

**ORDER**

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

DATED this \_\_\_\_\_ day of \_\_\_\_\_, ~~2023~~ <sup>2024</sup>.

NEVADA COMMISSION OF APPRAISERS OF  
REAL ESTATE

\_\_\_\_\_  
Appraisal Commission President

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**Exhibit A**  
**BONNIE M. ARCELLA A.0207063-CR Case No.: 2022-36 AP22.018.S**

**Violation found:**

Ethics Rule  
Records Keeping Rule  
Competency Rule  
Standards Rule 1-1(a)  
Standards Rule 1-4(a)  
Standards Rule 2-1(a)  
Standards Rule 2-2(a)(viii)  
Standards Rule 2-2(a)(x)

**Facts and Rationale for Finding:**

**ETHICS RULE**

Ethics Rule: An appraiser must promote and preserve the public trust inherent in appraisal practice by observing the highest standards of professional ethics. An appraiser must comply with USPAP when obligated by law or regulation, or by agreement with the client or intended users. In addition to these requirements, an individual should comply any time that individual represents that he or she is performing the service as an appraiser. An appraiser must perform assignments with impartiality, objectivity, and independence, and without accommodation of personal interests. If known prior to agreeing to perform an assignment, and/or if discovered at any time during the assignment, an appraiser must disclose to the client, and in each subsequent report certification any current or prospective interest in the subject property or parties involved and any services regarding the subject property performed by the appraiser, as an appraiser or in any other capacity, within the three-year period immediately preceding the agreement to perform the assignment. An appraiser must protect the confidential nature of the appraiser-client relationship.

**RECORD KEEPING RULE**

Record Keeping Rule: An appraiser must prepare a work file for each appraisal or appraisal review assignment. A work file must be in existence prior to the issuance of any report or other communication of assignment results. A written summary of an oral report must be added to the work file within a reasonable time after the issuance of the oral report. A work file in support of a Restricted Appraisal Report or an oral appraisal report must be sufficient for the appraiser to produce an Appraisal Report. A work file in support of an oral appraisal review report must be sufficient for the appraiser to produce an Appraisal Review Report. An appraiser must retain the work file for a period of at least five years after preparation or at least two years after final disposition of any judicial proceeding in which the appraiser provided testimony related to the assignment, whichever period expires last. An appraiser must have custody of the work file, or make appropriate work file retention, access, and retrieval arrangements with the party having custody of the work file. This includes ensuring that a work file is stored in a medium that is retrievable by the appraiser throughout the prescribed record retention period.

**COMPETENCY RULE**

An appraiser must: (1) be competent to perform the assignment; (2) acquire the necessary competency

1 to perform the assignment; or (3) decline or withdraw from the assignment. In all cases, the appraiser  
must perform competently when completing the assignment.

2 Perfection is impossible to attain, and competence does not require perfection. However, an appraiser  
3 must not render appraisal services in a careless or negligent manner. This Rule requires an appraiser to  
4 use due diligence and due care. BEING COMPETENT An appraiser must determine, prior to agreeing  
5 to perform an assignment, that he or she can perform the assignment competently. Competency  
6 requires: 1. the ability to properly identify the problem to be addressed; 2. the knowledge and  
7 experience to complete the assignment competently; and 3. recognition of, and compliance with, laws  
8 and regulations that apply to the appraiser or to the assignment. If an appraiser determines he or she is  
9 not competent prior to agreeing to perform an assignment, the appraiser must: 1. disclose the lack of  
10 knowledge and/or experience to the client before agreeing to perform the assignment; 2. take all steps  
11 necessary or appropriate to complete the assignment competently; and 3. describe, in the report, the  
lack of knowledge and/or experience and the steps taken to complete the assignment competently.  
When facts or conditions are discovered during the course of an assignment that cause an appraiser to  
determine, at that time, that he or she lacks the required knowledge and experience to complete the  
assignment competently, the appraiser must: 1. notify the client; 2. take all steps necessary or  
appropriate to complete the assignment competently; and 3. describe, in the report, the lack of  
knowledge and/or experience and the steps taken to complete the assignment competently.

#### 12 STANDARDS RULE 1-1, GENERAL DEVELOPMENT REQUIREMENTS

In developing a real property appraisal, an appraiser must:

13 (a) be aware of, understand, and correctly employ those recognized methods and techniques that are  
14 necessary to produce a credible appraisal;

#### 15 STANDARDS RULE 1-4, APPROACHES TO VALUE

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

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

#### 18 STANDARDS RULE 2-1, GENERAL REPORTING REQUIREMENTS

19 Each written or oral real property appraisal report must:

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

#### 21 STANDARDS RULE 2-2, CONTENT OF A REAL PROPERTY APPRAISAL REPORT

22 Each written real property appraisal report must be prepared under one of the following options  
and prominently state which option is used: Appraisal Report or Restricted Appraisal Report.

23 (a) The content of an Appraisal Report must be appropriate for the intended use of the  
appraisal and, at a minimum:

24 (xiii) summarize the scope of work used to develop the appraisal;

25 (x) provide sufficient information to indicate that the appraiser complied with the requirements of  
STANDARD 1 by:

26 (1) summarizing the appraisal methods and techniques employed;

27 (2) stating the reasons for excluding the sales comparison, cost, or income approach(es) if any have not  
been developed;

28 (3) summarizing the results of analyzing the subject sales, agreements of sale, options, and listings in  
accordance with Standards Rule 1-5;35

Comment: If such information is unobtainable, a statement on the efforts undertaken by the appraiser to  
obtain the information is required. If such<sub>2</sub> information is irrelevant, a statement

acknowledging the existence of the information and citing its lack of relevance is required.

(4) stating the value opinion(s) and conclusion(s); and

(5) summarizing the information analyzed and the reasoning that supports the analyses, opinions, and conclusions, including reconciliation of the data and approaches;

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