

**BEFORE THE ARKANSAS APPRAISER  
LICENSING AND CERTIFICATION BOARD**

**IN THE MATTER OF:  
Rebecca Mahoney, CR-2142  
Respondent**

**CASE# 17-0901**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

A hearing In the above-referenced matter was held before the Arkansas Appraiser Licensing and Certification Board (“Board”) on October 31, 2019 in the Tobacco Control Hearing Room, Suite #119, on the 1<sup>st</sup> Floor at 101 East Capitol, Little Rock, Arkansas. Respondent, Rebecca Mahoney, appeared personally and was not represented by counsel. Assistant Attorney General Juliane Chavis appeared on behalf of the Board.

Finding proper notice had been given Respondent, the Board, from all the evidence presented, makes the following Findings of Fact, Conclusions of Law and Order:

**FINDINGS OF FACT**

**F-1.** In response to a complaint filed against her, Respondent met with a panel of the Board on November 21, 2017. In that meeting, the panel considered the allegations in the complaint, Respondent’s response, and the staff’s investigation of the complaint.

**F-2.** The panel determined that the complaint against the Respondent would be dismissed on the condition that the Respondent completes the following specific courses:

- 1) A 15-hour, tested, Residential Report Writing and Case Studies Course;
- 2) A 30-hour, tested, Residential Sales Comparison and Income Approach Course; and
- 3) A 15-hour, tested, Residential Site Valuation and Cost Approach Course.

**F-3.** In the Conditional Dismissal Agreement, the panel ordered, and the Respondent agreed, to take the above-listed courses, in a classroom setting, within 12 months. The Agreement also stated that Respondent would face no further disciplinary action provided she completed the courses before March 1, 2019.

**F-4.** The Conditional Dismissal Agreement signed by the Respondent was ratified by the full Board on December 11, 2017.

**F-5.** As of March 1, 2019, the Respondent has not provided proof of completion of the courses set out in F-2.

**F-6** During the week of July 1, 2019, the Respondent informed Henk vanDuyvendijk, Chief Investigator for the Board, that she had not completed the courses because she could not find any courses that met the requirements set out in F-2.

### **CONCLUSIONS OF LAW**

C-1 The Board finds that the allegations described in paragraphs F-5 and F-6 are true and constitute a violation of Ark. Code Ann. § 25-15-217(d): “Upon imposition of a sanction against a person or entity under the agency’s jurisdiction, the agency may order that the license, permit, certification, credential, or registration be suspended until the person or entity has complied in full with all applicable sanctions imposed pursuant to this section.”

### **ORDER**

1. Respondent is hereby granted a six (6) month extension (from October 31, 2019 – May 1, 2020) to complete the education set out in F-2 above. She may take the courses in a classroom or on-line. If the courses are taken on-line, Respondent must go to a testing facility for proctored exams.
2. If Respondent has not completed the courses set out in F-2 above on or before May 1, 2020, and provided proof of same to the Board, her license will be automatically suspended until she completes the courses.

3. Pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-212, Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the county in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service of this order.

**IT IS SO ORDERED** this 4<sup>th</sup> day of November, 2019.

ARKANSAS APPRAISER LICENSING &  
CERTIFICATION BOARD

Diana Piechocki  
Diana Piechocki  
Board Director

**CERTIFICATE OF SERVICE**

I, Diana Piechocki, Director of the Arkansas Appraiser Licensing and Certification Board, do hereby certify that I have served a copy of these Findings of Fact, Conclusions of Law and Order by mailing a copy of same, U.S. Mail, postage prepaid, on this 4<sup>th</sup> day of November, 2019 to the following:

Rebecca Mahoney, 1301 Leonard, Hot Springs, Arkansas 71913.

Diana Piechocki  
Diana Piechocki  
Board Director