

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

IN THE MATTER OF: PETER J. CAMP, RESPONDENT

CASE NO. 17-0922

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

A hearing on the above-referenced matter was held before the Arkansas Appraiser Licensing and Certification Board (“Board”) on January 24, 2019 in the Tobacco Control Hearing Room, Suite 119, 101 East Capitol Avenue, Little Rock, Arkansas 72201. Peter J. Camp, Respondent, 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, and based upon the Respondent’s admission on the record, makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

Based upon the Respondent’s admission to all ten (10) allegations in the Order and Notice of Hearing, the Board made the following Findings of Fact:

1. Respondent developed and reported an appraisal (the “Report”) of 100 Ouachita Road 157, Camden, Arkansas on or about February 28, 2017.
2. Respondent is not licensed or certified as an appraiser in the State of Arkansas currently, at the time of the appraisal, or at any time.
3. Respondent stated in the Neighborhood Section/Neighborhood Boundaries of the FNMA form 2055 that the subject is located in Ouachita County, TX (Texas).
4. Respondent stated in the Neighborhood Section/Neighborhood Description of the FNMA form 2055 that the subject is located in Camden, TX (Texas).

5. Respondent indicated that the subject's Highest and Best Use is the Present Use; however, he did not provide any comments or support for this statement.
6. Respondent indicated the subject is located in Camden, Arkansas and the comparables used were: Comp 1 is located in Kennedy, TX (approximately 561 miles from the subject; Comp 2 is located in Sargent, TX (approximately 425 miles from the subject property); and Comp 3 is located in Avery, TX (approximately 127 miles from the subject). On the next line of page 2 – Proximity to Subject: all three (3) comparables state “same market area.”
7. Respondent did not provide a date of sale for any of the three (3) comparables used in the appraisal report. Based on this lack of information, the client/intended user could not verify that the comparable sales were not the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land, or that the comparable sale closed within an acceptable time from the effective date of the appraisal report.
8. Respondent did not provide support for the site value of the subject or the amount of the adjustments made for the differences in site value in the Sales Comparison Approach in the report or work file.
9. Respondent's work file does not include sufficient information to conclude compliance with the Record Keeping Rule. The Respondent's work file included the following items:
 - House Specification Sheet;
 - Property Located Map which starts in Shreveport, LA and shows routes to 100 Ouachita Road 157, Camden, AR;
 - United Built Homes appraisal order sheet;
 - Survey of the subject property;
 - Floor plan and elevations of the subject home;

- Front view of a home assumed to be the subject property;
 - A partial copy (pages 1-6 FNMA form 2055) which provides limited information about the subject, no specific data on the comparables or information supporting the adjustments made or value conclusion.
10. Respondent has not proven the competency to complete a residential appraisal report in the State of Arkansas.

CONCLUSIONS OF LAW

Based upon the Respondent's admission to all eight (8) charges in the Order and Notice of Hearing, the Board made the following Conclusions of Law:

1. Based upon his admission to Allegation A-2, Respondent is in violation of Ark. Code Ann. § 17-14-105(b) and the Competency Rule which state:

(b) An appraiser shall not sign an appraisal report or be cited within the report as having provided "significant real property appraisal assistance" in the development of the appraisal without having been state-registered, state-licensed, or state-certified.

Competency Rule

The appraiser must determine, prior to accepting an assignment, that he or she can perform the assignment competently. Competency requires:

(3.) recognition of, and compliance with, laws and regulations that apply to the appraiser or to the assignment.

2. Based upon his admission to Allegations A-3 and A-4, Respondent is in violation of The Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule 1-1(b), Standards Rule 2-1(a), and Standards Rule 2-2(a)(viii) which state:

Std Rule 1-1 In developing a real property appraisal, an appraiser must: (b) not commit a substantial error of omission or commission that significantly affects an appraisal.

Std Rule 2-1 Each written or oral real property appraisal report must: (a) clearly and accurately set forth the appraisal in a manner that will not be misleading.

Std Rule 2-2(a) The content of an Appraisal Report must be consistent with the intended use of the appraisal and, at a minimum: (viii) summarize the information analyzed, the appraisal methods and techniques employed, and the reasoning that supports the analysis, opinions, and conclusions; exclusion of the sales comparison approach, cost approach, or income approach must be explained.

3. Based upon his admission to Allegation A-5, Respondent is in violation of The Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule 1-3(b) and Standards Rule 2-2(a)(x) which state:

Std Rule 1-3 When necessary for credible assignment results in developing a market value opinion, an appraiser must: (b) develop an opinion of the highest and best use of the real estate.

Std Rule 2-2(a) The content of an Appraisal Report must be consistent with the intended use of the appraisal and, at a minimum: (x) when an opinion of highest and best use was developed by the appraiser, summarize the support and rationale for the opinion.

4. Based upon his admission to Allegation A-6, Respondent is in violation of The Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule 1-1(a) and (b), Standards Rule 1-4(a), and Standards Rule 2-2(a)(viii) which state:

Std Rule 1-1 In developing a real property appraisal, an appraiser must: (a) be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal; (b) not commit a substantial error of omission or commission that significantly affects an appraisal.

Std Rule 1-4 In developing a real property appraisal, an appraiser must collect, verify, and analyze all information necessary for credible assignment results. (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.

Std Rule 2-2(a) The content of an Appraisal Report must be consistent with the intended use of the appraisal and, at a minimum: (viii) summarize the information analyzed, the appraisal methods and techniques employed, and the reasoning that supports the analysis, opinions, and conclusions; exclusion of the sales comparison approach, cost approach, or income approach must be explained.

5. Based upon his admission to Allegation A-7, Respondent is in violation of The Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule 1-1(b), Standards Rule 2-1(a), and Standards Rule 2-2(a)(viii) which state:

Std Rule 1-1 In developing a real property appraisal, an appraiser must: (b) not commit a substantial error of omission or commission that significantly affects an appraisal.

Std Rule 2-1 Each written or oral real property appraisal report must: (a) clearly and accurately set forth the appraisal in a manner that will not be misleading.

Std Rule 2-2(a) The content of an Appraisal Report must be consistent with the intended use of the appraisal and, at a minimum: (viii) summarize the information analyzed, the appraisal methods and techniques employed, and the reasoning that supports the analysis, opinions, and conclusions; exclusion of the sales comparison approach, cost approach, or income approach must be explained.

6. Based upon his admission to Allegation A-8, Respondent is in violation of The Uniform Standards of Professional Appraisal Practice (USPAP) Standards Rule 1-1(b) and Standards Rule 2-2(a)(viii) which state:

Std Rule 1-1 In developing a real property appraisal, an appraiser must: (b) not commit a substantial error of omission or commission that significantly affects an appraisal.

Std Rule 2-2(a) The content of an Appraisal Report must be consistent with the intended use of the appraisal and, at a minimum: (viii) summarize the information analyzed, the appraisal methods and techniques employed, and the reasoning that supports the analysis, opinions, and conclusions; exclusion of the sales comparison approach, cost approach, or income approach must be explained.

7. Based upon his admission to Allegation A-9, Respondent is in violation of The Uniform Standards of Professional Appraisal Practice (USPAP) 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....

The work file must include:

- **The name of the client and the identity, by name or type, of any other intended users;**
- **True copies of all written reports, documented on any type of media. (A true copy is a replica of the report transmitted to the client. A photocopy or an electronic copy of the entire report transmitted to the client satisfies the requirement of a true copy.);**
- **Summaries of all oral reports or testimony, or a transcript of testimony, including the appraiser's signed and dated certification;**
- **All other data, information, and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with USPAP, or references to the location(s) of such other data, information, and documentation...**

8. Based upon his admission to Allegations A-2 through A-10, Respondent is in violation of The Uniform Standards of Professional Appraisal Practice (USPAP) Competency Rule which states:

Being Competent: The appraiser must determine, prior to accepting an assignment, that he or she can perform the assignment competently. Competency requires: 1. the ability to properly identify the problem to be addressed; 2. the knowledge and experience to complete the assignment competently; and 3. Recognition of, and compliance with, laws and regulations that apply to the appraiser or to the assignment.

ORDER

1. Respondent is ordered to pay a civil penalty totaling \$8,000.00, \$1,000.00 for each of the eight (8) charges that he admitted violating. Payment of the civil penalty is due upon Respondent's receipt of this Findings of Fact, Conclusions of Law and Order.
2. Respondent is prohibited from performing future appraisals in the State of Arkansas.
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 of Pulaski County, Arkansas within thirty (30) days after service of this order.

IT IS SO ORDERED this 25th day of January, 2019

ARKANSAS APPRAISER LICENSING AND
CERTIFICATION BOARD

Diana Piechocki
DIANA PIECHOCKI
Executive Director

CERTIFICATE OF SERVICE

I, Diana Piechocki, Executive 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 25th day of January, 2019 to the following: Mr. Peter J. Camp at the following address:

1810 E 70th, Suite 100, Shreveport, LA 71150.

Diana Piechocki
Diana Piechocki