

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

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vs.

DOCKETED COMPLAINT NO.
07-137

TERRANCE JEWEL ALEXANDER
TX-1336189-L

AGREED FINAL ORDER

On this the 9 day of December, 2008, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the license of Terrance Jewel Alexander (Respondent).

In order to conclude this matter, Terrance Jewel Alexander neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

FINDINGS OF FACT

1. Respondent Terrance Jewel Alexander was a Texas state licensed real estate appraiser, previously held license number TX-1336189-L, and was certified by the Board during all times material to the above-noted complaint case.
2. On or about April 15, 2007, Respondent appraised real property located at 6127 Aylworth Drive, Frisco, Texas 75035 ("the property").
3. On or about April 26, 2007, the Complainant, Dale Martin Carpenter, filed a complaint with the Board. The complaint alleged that the appraisal report contained potential violations of the Uniform Standards of Professional Appraisal Practice.
4. On or about June 6, 2007 the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaint. Respondent's response to the complaint was received.
5. Respondent violated TEX. OCC. CODE § 1103.405, 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a) by the following acts or omissions which did not conform to USPAP in effect at the time of the appraisal report for the property:

(a) Respondent failed to report the describe the subject site as to size, dimensions or amenities;

- b) Respondent failed to report the specific zoning;
- c) Respondent failed to support site value;
- d) Respondent failed to failed to correctly analyze, report and use accurate cost data for the site value and improvements in the cost approach and failed to employ recognized methods and techniques in his cost approach analysis;
- e) Respondent failed to collect, verify, analyze and reconcile comparable sales data properly and failed to employ recognized methods and techniques in his sales comparison approach;;
- f) Respondent failed to reconcile the subject's sales and listing history with his value conclusion; and
- g) Respondent's report for the property contains substantial errors of commission or omission as detailed above which resulted in a misleading appraisal report for the property.

CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.
2. Respondent violated the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405, 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Standards Rules: 1-2(e)(i) & 2-2(b)(iii); ~~1-2(e)(iv) & 2-2(b)(viii)~~; ~~1-4(b)(ii) & 2-2(b)(viii)~~; 1-1(a) & 1-4(b); ~~1-4(a) & 2-2(b)(viii)~~; ~~1-1(a) & 1-4(a)~~; ~~1-5(a) & 2-2(b)(viii)~~; 1-5(b) & 2-2(b)(viii); ~~1-6(a) & (b) & 2-2(b)(viii)~~; 1-1(a) ; 1-1(b), 1-1(c); and, 2-1(a).
3. Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by making material misrepresentations and omitting material facts.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Respondent shall:

- a. Attend and complete a minimum, 15 classroom-hour course in USPAP;
- b. Attend and complete a minimum, 15 classroom-hour course in Residential Case Studies;
- c. Attend and complete a minimum, 15 classroom-hour course in the Sales Comparison Approach;
- d. Attend and complete a minimum, 15 classroom-hour course in the Cost Approach;

- e. Pay to the Board an administrative penalty of \$ 2,000.00, the payment of \$1,000.00 of which is fully probated under the condition that Respondent timely comply with all other terms of this order; and,
- f. Comply with all provisions of the Act, the Rules of the Board, and USPAP in the future, or be subjected to further disciplinary action.

ALL CLASSES required by this Agreed Final Order must be classes approved by the Board and must be completed within **TWELVE MONTHS** of the date of this Order and documentation of attendance and successful completion of the educational requirements of this Order shall be delivered to the Board on or before the end of the twelve-month period indicated. None of the classes or seminars required by this Order may be taken through correspondence courses. Unless otherwise noted above, all classes must be in-class, have an exam, and Respondent must have a passing grade on the exam given in each class. None of these required classes will count toward Respondent's continuing education requirements for licensure.

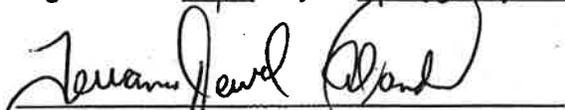
Payment of the non-probated portion of the **ADMINISTRATIVE PENALTY** must be by certified funds, and must be tendered within **TWENTY DAYS** of the date of this Agreed Final Order.

Failure to timely comply with any of the terms of this Final Agreed Order shall result in initiation of a contested case proceeding against Respondent and after opportunity for a hearing, possible imposition of disciplinary sanctions against Respondent as provided for by TEX. OCC. CODE § 1103.518, including but not limited to imposition of the above-noted probated portion of the administrative penalty.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published in the Board's newsletter and/or on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

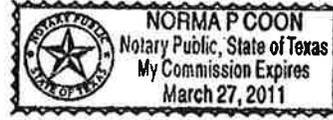
Signed this 9 day of December, 2008.


TERRANCE JEWEL ALEXANDER

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 9 day of December, 2008, by TERRANCE JEWEL ALEXANDER, to certify which, witness my hand and official seal.

Norma P. Coon
Notary Public Signature

Norma P. Coon
Notary Public's Printed Name



Signed by the Commissioner this 20th day of February, 2009.

Jorenda DeHay
~~Timothy K. Irvine~~, Commissioner
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 20th day of February, 2009.

Clinton P. Sayers
Clinton P. Sayers, Chairperson
Texas Appraiser Licensing and Certification Board