

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

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vs.

DOCKETED COMPLAINT NO.  
10-332

CORBIN S. ALLEN  
TX-1336844-R

**AGREED FINAL ORDER**

On this the 2<sup>nd</sup> day of May, 2011, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Corbin S. Allen (Respondent).

In order to conclude this matter Corbin S. Allen 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, Corbin S. Allen, is a state certified residential real estate appraiser who currently holds and held certification number TX-1336844-R during all times material to the above-noted complaint case.
2. Respondent appraised 2635 Cottdale Road, Springtown, Wise County, Texas 76082 ("the property") on or about June 18<sup>th</sup>, 2010.
3. On or about July 2<sup>nd</sup>, 2010, Bonny McGreary, the Complainant, filed a complaint with the Board based on allegations that the Respondent had produced an appraisal report that contained various USPAP violations.
4. On or about July 8<sup>th</sup>, 2010 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 comply with the record-keeping provisions of the Ethics Rule and did not comply with the Scope of Work Rule;
- b) Respondent failed to identify and report the site description adequately;
- c) Respondent failed to use an appropriate method or technique to develop an opinion of the site value, failed to collect, verify, analyze and reconcile the cost new of improvements, and did not employ recognized methods and techniques in his cost approach;
- d) Respondent failed to collect, verify, analyze, and reconcile comparable sales data adequately and did not employ recognized methods and techniques in his sales comparison approach; and
- e) Respondent's report 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 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Ethics Rule; USPAP Scope of Work Rule; USPAP Standards: 1-2(h) & 2-2(b)(viii); 1-2(e)(i) & 2-2(b)(iii); 1-4(b)(i) & 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); 1-1(a); 1-1(b); 1-1(c); and, 2-1(a).
3. Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by 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 the Cost Approach;
- b. Attend and complete a minimum, 7 classroom-hour course in Valuation by Comparison;
  - i. No examination is required for the 7-hour course; and
- c. Comply with all future 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 **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 certification. Respondent is solely responsible for locating and scheduling classes to timely satisfy the terms of this agreement.

Failure to comply with any of the terms required by this Agreed Final Order within the time allotted shall result in **IMMEDIATE SUSPENSION** of the Respondent's certification pursuant to notice to the Respondent from the Board indicating that the Respondent has not fulfilled the required terms of this Agreed Final Order.

**ANY SUCH SUSPENSION** SHALL BE EFFECTIVE WITHOUT THE NEED FOR A HEARING OR OTHER ADMINISTRATIVE DUE PROCESS UNDER THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT OR THE ADMINISTRATIVE PROCEDURE ACT, AND RESPONDENT SPECIFICALLY WAIVES ANY SUCH HEARING OR DUE PROCESS.

Respondent shall be notified of any such suspension or lifting of probation by certified mail, return receipt requested, to the last known address as provided to the Board. If Respondent's certification is suspended on such a basis, the suspension shall remain in effect until such time as Respondent satisfies that portion of the Agreed Final Order which she has defaulted on and provides adequate documentation of same to the Board.

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 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.

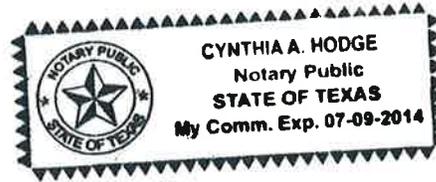
Signed this 2<sup>nd</sup> day of May, 2011.

  
CORBIN S. ALLEN

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 2nd day of May, 2011, by CORBIN S. ALLEN, to certify which, witness my hand and official seal.

Cynthia A. Hodge  
Notary Public Signature

Cynthia A. Hodge  
Notary Public's Printed Name



Signed by the TALCB Staff Attorney this 19<sup>th</sup> day of MAY, 2011.

Troy Beaulieu  
Troy Beaulieu, TALCB Staff Attorney  
Texas Appraiser Licensing and Certification Board

Signed by the Commissioner this 20<sup>th</sup> day of May, 2011.

Douglas E. Oldmixon  
Douglas E. Oldmixon, Commissioner  
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 20<sup>th</sup> day of May, 2011.

Luis De La Garza  
Luis De La Garza, Chairperson  
Texas Appraiser Licensing and Certification Board