

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

MARILYN SUE JOHNSON
TX- 1322857-R

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DOCKETED COMPLAINT NO.
09-288

AGREED FINAL ORDER

On this the _____ day of _____, 2011, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Marilyn Sue Johnson (Respondent).

In order to conclude this matter Marilyn Sue Johnson 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 Marilyn Sue Johnson was a Texas state certified residential real estate appraiser, held certification number TX-1322857-R, and was certified by the Board during all times material to the above-noted complaint case.
2. Respondent appraised real property located at 3612 Lancashire Lane, Houston, Texas 77027 ("the property") on or about August 15th, 2006.
3. After receipt of the complaint, 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.
4. Despite an initial notice and a reminder notice (sent on February 23rd, and April 12th, 2011) which were sent to her address of record with TALCB and requested the documentation for the complaint, the requested material was never received from Respondent.
5. Respondent has failed to provide the requested documentation for the complaint matter within the required timeframe and failed to contact TALCB in any way regarding the complaint pending against her.
6. Since the time of this complaint, Respondent's state certification as a real estate appraiser has expired and Respondent no longer desires to hold a license, certification,

authorization or registration from the Board. Respondent acknowledges that her state certification has lapsed and she is hereby agreeing not to seek renewal of the certification, nor to apply for any authorization, license, certification or registration with the Board in the future.

7. The parties hereby enter into the foregoing consent order in accordance with TEX. OCC. CODE § 1103.458.

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. The parties are authorized to resolve their dispute by means of a consent order in accordance with TEX. OCC. CODE § 1103.458.

3. Respondent violated 22 TEX. ADMIN. CODE §§ 153.20(a)(1), (a)(24) and 153.24(a)(6) by failing to respond to the complaint and provide requested documentation.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Respondent shall not seek renewal of her certification, nor apply to the Board for any authorization, license, certification or registration in the future.

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.

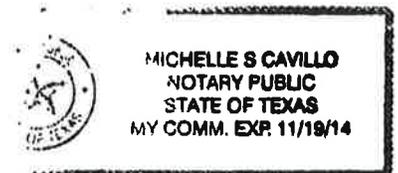
THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

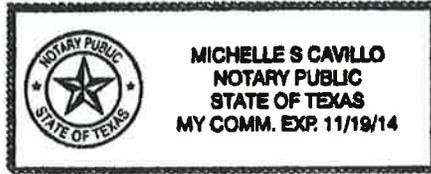
Signed this 29 day of August, 2011.

Marilyn Sue Johnson
MARILYN SUE JOHNSON

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 29 day of August, 2011, by MARILYN SUE JOHNSON, to certify which, witness my hand and official seal.

Michelle S. Cavillo
Notary Public Signature





Michelle S. Cavillo

Notary Public's Printed Name

Signed by the Standards and Enforcement Services Division this 11th day of OCTOBER, 2011.

Troy Beaulieu
Troy Beaulieu, TALCB Staff Attorney

Signed by the Commissioner this 12th day of October, 2011.

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

Approved by the Board and Signed this 12th day of October, 2011.

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