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| TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD | § | |
| | § | |
| vs. | § | DOCKETED COMPLAINT NO. 10-204 |
| | § | |
| ROBERT DAVID GARRETT TX-1331934-L (EXPIRED) | § | |

## 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 Robert David Garrett (Respondent).

In order to conclude this matter, Robert David Garrett 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 Robert David Garrett was a Texas state licensed real estate appraiser who held certification number TX-1331934-L, and was licensed by the Board during all times material to the above-noted complaint case.

2. Respondent appraised real property located at: 21023 Claremore Court, Katy, Texas 77449 ("the property").

3. On or about February 26th, 2010, a staff-initiated complaint was filed with the Board based upon a referral from the Texas Department of Insurance. The complaint alleged that the Respondent produced an appraisal report for the property that did not conform to Uniform Standards of Professionai Appraisal Practice.

4. Thereafter 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 was also requested to provide certain documentation to the Board.

5. Since the time of this complaint, Respondent's state license 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 his state license has lapsed and he is hereby agreeing not to seek renewal of the license, nor to apply for any authorization, license, certification or registration with the Board in the future.

6. 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. TEX. OCC. CODE § 1103.458.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that Respondent shall not seek renewal of his license, 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 22 day of September, 2011.

ROBERT DAVID GARRETT

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 22nd day of September, 2011, by ROBERT DAVID GARRETT, to certify which, witness my hand and official seal.

Notary Public Signature

ROCKY LEE ARRELL
MY COMMISSION EXPIRES
March 17, 2013

Rocky Lee Arrell

Notary Public's Printed Name

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

Troy Beaulieu, TALCB Staff Attorney

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

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, Chairperson
Texas Appraiser Licensing and Certification Board