

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

vs.

LARRY CHARLES GRAHAM  
TX-1337349-R

§  
§  
§  
§  
§  
§  
§

COMPLAINT CASE NUMBER  
12-318

### DEFAULT FINAL ORDER

On this \_\_\_\_ day of \_\_\_\_\_, 2013, the Texas Appraiser Licensing and Certification Board ("TALCB" or "Board") through the delegation of authority to the Commissioner considered the above-noted matter.

After proper notice was given, Larry Charles Graham (the "Respondent") failed to respond and request a hearing in this matter.

The Texas Appraiser Licensing and Certification Board through the delegation of authority to the Commissioner, after review and due consideration of the Notice of Violation and Penalty, incorporated by reference and attached hereto as **Exhibit A**, makes the following findings of fact and conclusions of law. All proposed findings of fact and conclusions of law submitted by any party that are not specifically adopted in this Final Order are denied.

### FINDINGS OF FACT

1. Respondent, Larry Charles Graham, is a Texas state certified residential real estate appraiser who currently holds and held certification number TX-1337349-R during all times material to the above-noted complaint case.
2. On or about June 20, 2012, Respondent entered a Plea Agreement (the "Plea Agreement") in the United States District Court for the Western District Court of Tennessee for conspiracy to commit mail, wire, and bank fraud and money laundering. A true and correct copy of the Plea Agreement is attached hereto as **Exhibit B**.
3. On July 11, 2012, Respondent agreed to permanent revocation of his certificate with the Tennessee Real Estate Appraiser Commission as a certified residential real estate appraiser in Tennessee (**Exhibit C**).
4. On February 28, 2013, Board staff sent Respondent a settlement offer with an affidavit of surrender and received no response from Respondent.
5. On May 6, 2013, the Board staff sent the Respondent a Notice of Violation and Penalty ("Notice") to the address Respondent provided to the TALCB, 11661 Sabino Ct., Frisco, Texas 75034.

6. On May 6, 2013, the Board staff also sent the Notice to the email address Respondent provided to the TALCB, larry@starsappraisals.com.
7. The Notice alleged, "On April 12, 2010, the Tennessee Real Estate Appraiser Commission executed a consent order signed by Respondent agreeing to disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE § 153.20(a)(10)."
8. The Notice alleged, "Respondent signed a second consent order on July 11, 2012, from the Tennessee Real Estate Appraiser Commission agreeing to a permanent revocation of his certificate as a certified residential real estate appraiser in Tennessee. The TALCB was not notified within 30 days of this disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(5) and (a)(13)."
9. The Notice alleged, "On June 21, 2012, the Respondent entered a guilty plea in the United States District Court for the Western District Court of Tennessee to conspiracy to commit mail, wire, and bank fraud and money laundering. The TALCB was not notified within 30 days of entering a guilty plea of a criminal offense involving fraud. Respondent has therefore violated 22 TEX. ADMIN. CODE § 153.20(a)(3)."
10. The Notice alleged, "In 2010, on his TALCB certification renewal application, Respondent misrepresented that he had no pending complaints against any of his occupational licenses or certifications. Alternatively, Respondent also misrepresented that received no disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(9) and (a)(12)."
11. The Notice alleged, "In 2012, on his TALCB certification renewal application, Respondent misrepresented that he had no pending complaints against any of his occupational licenses or certifications. Alternatively, Respondent also misrepresented that received no disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(12) and (a)(14)."
12. The Notice alleged, "Respondent made material misrepresentation and material omissions of material fact regarding his pending criminal charges on his 2012 renewal application. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(12) and (a)(14)."
13. The Notice recommended the revocation of Respondent's certification and recommended the imposition of a \$5,000 administrative penalty.
14. In the Notice, Respondent was informed that failure to respond, no later than the 20th day after the date of receiving the Notice, would result in the submission of an order imposing the above recommendations to the Board.

15. Respondent failed to respond to the Notice in any manner (**Exhibit D**).

### CONCLUSIONS OF LAW

1. The TALCB has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act (the "Act"), TEX. OCC. CODE § 1103 et. seq.
2. Respondent is authorized to send Notice pursuant to TEX. OCC. CODE § 1103.5011.
3. The Notice alleged Respondent violated 22 TEX. ADMIN. CODE § 153.20(a)(10)<sup>1</sup> by having his certification acted against in another jurisdiction for acts which are offenses under Texas law.
4. The Notice alleged Respondent violated 22 TEX. ADMIN. CODE §§ 153.20(a)(5) and (a)(13) by failing to notify the Board within 30 days of receiving a disciplinary action and having his certification revoked in another jurisdiction.
5. The Notice alleged Respondent violated 22 TEX. ADMIN. CODE § 153.20(a)(3) by failing to notify the Board within 30 days of entering a guilty plea of a criminal offense involving fraud.
6. The Notice alleged Respondent violated 22 TEX. ADMIN. CODE §§ 153.20(a)(9)<sup>2</sup> and (a)(12)<sup>3</sup> by procuring a certification with a material misrepresentation.
7. The Notice alleged Respondent violated 22 TEX. ADMIN. CODE §§ 153.20(a)(12) and (a)(14) by procuring a certification with a material misrepresentation regarding his pending criminal charges.
8. The Notice recommended the revocation of Respondent's certification and recommended the imposition of a \$5,000 administrative penalty.
9. Pursuant to TEX. OCC. CODE § 1103.5011, no later than the 20th after the date of receiving the Notice, Respondent may accept the Board's determination or make a written request for a hearing.
10. Respondent failed to respond to the Notice in any manner.

---

<sup>1</sup> This rule was renumbered without substantive changes and is now located at 22 TEX. ADMIN. CODE § 153.20(a)(13).

<sup>2</sup> This rule was renumbered without substantive changes and is now located at 22 TEX. ADMIN. CODE § 153.20(a)(12).

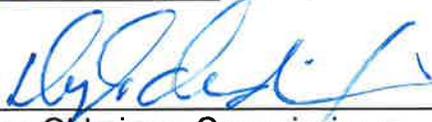
<sup>3</sup> This rule was renumbered without substantive changes and is now located at 22 TEX. ADMIN. CODE § 153.20(a)(14).

11. Pursuant to TEX. OCC. CODE § 1103.5012, if the Respondent fails to respond to the Notice in a timely manner, the TALCB is authorized to approve the determinations in the Notice, order payment of the recommended penalty and impose the recommended sanction.

NOW, THEREFORE, IT IS ORDERED by the Texas Appraiser Licensing and Certification Board through the delegation of authority to the Commissioner that the certification of Larry Charles Graham in this matter is hereby **REVOKED** and assessed an administrative penalty of \$5,000, effective twenty days after the date Larry Charles Graham is notified of this Final Order.

If enforcement of this Final Order is restrained or enjoined by an order of a court, this order shall become effective upon a final determination by said court or appellate court in favor of the Texas Appraiser Licensing and Certification Board.

Approved by the Texas Appraiser Licensing and Certification Board through the delegation of authority to the Commissioner and Signed this 10 day of JUL, 2013.



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

## **RIGHT TO REHEARING AND JUDICIAL REVIEW OF FINAL ORDER**

You are entitled to apply for a rehearing of this Final Order. A rehearing may be obtained by filing an application for rehearing within 20 days of being notified either in person or by certified mail, return receipt requested, of the Final Order. The application for rehearing must state the specific grounds for rehearing and the relief sought. The application for rehearing will be denied if the Board does not grant it before the 20th day after the date the Commissioner is served with the application. In the absence of a timely application for rehearing, the final order will be final on the expiration of the period for filing an application for rehearing. A decision becomes final and appealable on the date of rendition of the order overruling application for rehearing, or on the date the application for rehearing is overruled by operation of law.

An application for rehearing is a prerequisite to judicial review. Judicial review may be obtained by filing in the Travis County, Texas, District Court, within 30 days after the order of the board is final and appealable.

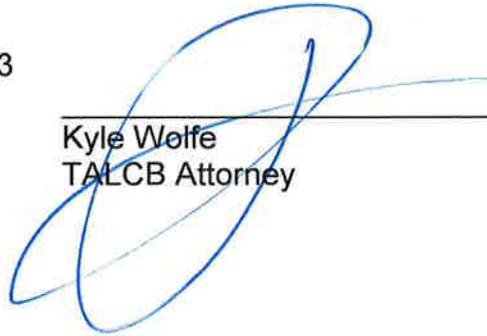
**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Default Final Order was sent certified mail, return receipt requested to:

Larry Charles Graham  
11661 Sabino Ct.  
Frisco, Texas 75034

**VIA CMRRR #**

On this 10 day of JULY, 2013

  
\_\_\_\_\_  
Kyle Wolfe  
TALCB Attorney

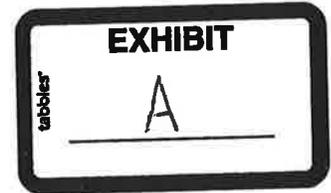
TEXAS



APPRAISER LICENSING & CERTIFICATION BOARD

DOUGLAS E. OLDMIXON, COMMISSIONER

Kyle Wolfe  
TALCB Attorney  
(512) 936-3621  
[kyle.wolfe@talcb.texas.gov](mailto:kyle.wolfe@talcb.texas.gov)



**VIA CMRRR # 91 7199 9991 7030 8623 0377**

May 6, 2013

Larry Charles Graham  
11661 Sabino Ct.  
Frisco, Texas 75034  
LARRY@STARSAPPRAISALS.COM

*Re: Texas Appraiser Licensing and Certification Board vs. Larry Charles Graham; TALCB Complaint # 12-318 -- NOTICE OF VIOLATION AND PENALTY*

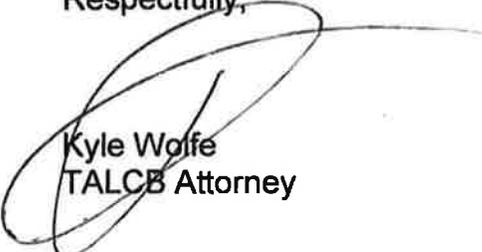
Mr. Graham,

As detailed in the attached Notice of Violation and Penalty, you have failed to comply with Texas Appraiser Licensing and Certification Board rules in connection with the above-noted complaint matter. The totality of this conduct indicates either gross neglect or intentional disregard for your obligations as a certified real estate appraiser. Based upon these violations, our office is recommending the sanctions and penalty outlined in the attached Notice of Violation and Penalty.

Within 20 days from your receipt of this notice, please advise our office whether you wish to dispute the violations and recommended sanctions and penalty. If you elect to dispute the violations, or the recommended penalty, or both, please send a written request for a hearing. Please provide our office with dates in June or July 2013 when you are available to hold a hearing before the State Office of Administrative Hearings in Austin. If you do not wish to dispute the violations and recommended sanctions and penalty, please send our office written acceptance of the violation, sanctions and penalty.

**You have the right to a hearing to contest the alleged violation, the recommended sanction, or both. However, please be aware that in accordance with the provisions of TEX. OCC. CODE §§ 1103.5011 and 1103.5012, if you fail to respond to this notice and do not affirmatively request in writing a hearing within 20 days of your receipt of this notice, the Board will approve an order imposing the proposed sanctions and penalty.**

Respectfully,

  
Kyle Wolfe  
TALCB Attorney

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

vs.

LARRY CHARLES GRAHAM  
TX-1337349-R

§ DOCKETED COMPLAINT NUMBER  
§  
§ 12-318  
§  
§  
§  
§

### **NOTICE OF VIOLATION AND PENALTY**

In accordance with TEX. OCC. CODE § 1103.5011 please take notice of the following:

#### **I. FACTS**

1. Petitioner is the Standards and Enforcement Services Division of the Texas Appraiser Licensing and Certification Board (the "TALCB" or "Board").
2. Larry Charles Graham (the "Respondent") is a Texas state certified residential real estate appraiser whose address as provided to TALCB is: 11661 Sabino Ct., Frisco, Texas 75034.
3. Respondent currently holds and held certification number TX-1337349-R during all times material to the below-noted violations.

#### **II. SUMMARY OF ALLEGED VIOLATIONS**

4. On April 12, 2010, the Tennessee Real Estate Appraiser Commission executed a consent order signed by Respondent agreeing to disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE § 153.20(a)(10)<sup>1</sup>.
5. Respondent signed a second consent order on July 11, 2012, from the Tennessee Real Estate Appraiser Commission agreeing to a permanent revocation of his certificate as a certified residential real estate appraiser in Tennessee. The TALCB was not notified within 30 days of this disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(5) and (a)(13).

---

<sup>1</sup> This rule was renumbered without substantive changes and is now located at 22 TEX. ADMIN. CODE § 153.20(a)(13).

6. On June 21, 2012, the Respondent entered a guilty plea in the United States District Court for the Western District Court of Tennessee to conspiracy to commit mail, wire, and bank fraud and money laundering. The TALCB was not notified within 30 days of entering a guilty plea of a criminal offense involving fraud. Respondent has therefore violated 22 TEX. ADMIN. CODE § 153.20(a)(3).

7. In 2010, on his TALCB certification renewal application, Respondent misrepresented that he had no pending complaints against any of his occupational licenses or certifications. Alternatively, Respondent also misrepresented that received no disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(9)<sup>2</sup> and (a)(12)<sup>3</sup>

8. In 2012, on his TALCB certification renewal application, Respondent misrepresented that he had no pending complaints against any of his occupational licenses or certifications. Alternatively, Respondent also misrepresented that received no disciplinary action. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(12) and (a)(14).

9. Respondent made material misrepresentation and material omissions of material fact regarding his pending criminal charges on his 2012 renewal application. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(12) and (a)(14).

### **III. RECOMMENDED SANCTION AND PENALTY**

10. Petitioner seeks the revocation of Respondent's certification and the imposition of a \$5,000.00 administrative penalty.

---

<sup>2</sup> This rule was renumbered without substantive changes and is now located at 22 TEX. ADMIN. CODE § 153.20(a)(12).

<sup>3</sup> This rule was renumbered without substantive changes and is now located at 22 TEX. ADMIN. CODE § 153.20(a)(14).

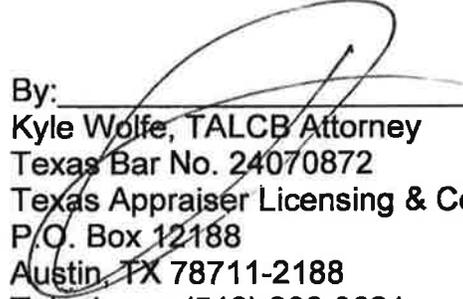
#### IV. RESPONDENT'S RIGHT TO A HEARING

11. Pursuant to TEX. OCC. CODE § 1103.5011, Respondent has the right to a hearing to contest:

- a. the alleged violation;
- b. the recommended sanctions and penalty; or,
- c. both the alleged violation and recommended sanctions and penalty.

12. However, if Respondent fails to respond to this notice and does not affirmatively request in writing a hearing within the next 20 days, a final order, imposing the recommended sanctions and penalty outlined above will be automatically entered and imposed against Respondent by default.

Respectfully Submitted,

By:   
\_\_\_\_\_  
Kyle Wolfe, TALCB Attorney  
Texas Bar No. 24070872  
Texas Appraiser Licensing & Certification Board  
P.O. Box 12188  
Austin, TX 78711-2188  
Telephone: (512) 936-3621  
Fax: (512) 936-3966

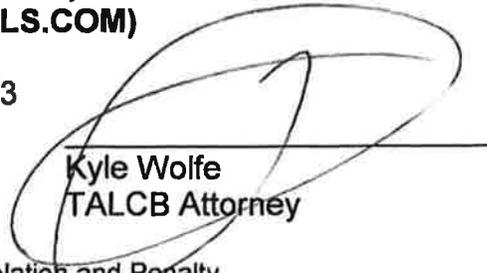
#### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Violation and Penalty was sent certified mail, return receipt requested to:

Larry Charles Graham  
11661 Sabino Ct.  
Frisco, Texas 75034

(VIA CMRRR #: 91 7199 9991 7030 8623 0377)  
(VIA EMAIL: LARRY@STARSAPPRAISALS.COM)

On this 11 day of May, 2013

  
\_\_\_\_\_  
Kyle Wolfe  
TALCB Attorney



IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED IN OPEN COURT  
DATE: 6/21/12  
TIME: 10:15 AM  
INITIALS: JPN

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 vs. )  
 )  
 LARRY CHARLES GRAHAM, )  
 )  
 Defendant. )

Criminal No. 11-20173-JPM

PLEA AGREEMENT

**The full and complete plea is as follows:**

The following constitutes the Plea Agreement reached between the United States, represented by Edward L. Stanton, III, United States Attorney for the Western District of Tennessee, and CHRISTOPHER E. COTTEN, Assistant United States Attorney, the defendant, LARRY CHARLES GRAHAM, represented by MARTY B. MCAFEE, defense counsel. The parties enter into the following Plea Agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure. It being the intention of the parties that the Court may accept or reject this agreement immediately or after having had an opportunity to review the pre-sentence report, but may not modify the agreement. Except with respect to any non-binding recommendations to be made by the United States, if the Court rejects the agreement either party may withdraw from the agreement.

1. LARRY CHARLES GRAHAM agrees that he will enter a voluntary plea of guilty to Counts One and Four of the indictment, the sentences for the two counts to run

concurrently.

2. The United States agrees to move to dismiss any remaining counts of the indictment against the defendant at sentencing.

3. The United States has given notice in the indictment of its intent to pursue criminal forfeiture as a part of the defendant's sentence. By entering into this plea agreement, the United States agrees to forego pursuing criminal forfeiture, including but not limited to, a personal money judgment against the defendant, as part of his sentence. The United States elects to pursue restitution as the sole means of making whole any victims in this case.

4. The United States agrees to recommend that LARRY CHARLES GRAHAM be sentenced at the low end of the applicable sentencing guideline range. The defendant understands that any recommendations made by the United States are not binding on the court and should the court not accept the recommendation or request the defendant nevertheless has no right to withdraw the plea.

5. Given the facts in the possession of the United States at the time of the writing of this agreement, the United States does not oppose the defendant receiving acceptance of responsibility credit pursuant to U.S.S.G. Section 3E1.1. The defendant understands that if the United States receives information between the signing of this agreement and the time of the sentencing that the defendant has previously engaged in, or if he engages in the future, in conduct inconsistent with the acceptance of responsibility, including, but not limited to, participation of any additional criminal activities between now and the time of sentencing, this position could change. Further, the defendant understands that whether or not acceptance of responsibility credit

pursuant to Section 3E1.1 is granted is a matter to be determined by the district court. Failure of the district court to grant acceptance of responsibility credit is not a basis for LARRY CHARLES GRAHAM to withdraw his guilty plea.

6. Defendant agrees that for the purpose of restitution, the Court may consider losses derived from the counts of conviction and losses caused from dismissed counts and uncharged conduct of the defendant.

7. Defendant understands that Title 18 United States Code Section 3742 gives him the right to appeal the sentence imposed by the Court. Acknowledging this, defendant knowingly and voluntarily waives his right to appeal his conviction, as well as any sentence imposed by the Court and the manner in which the sentence is determined, if the sentence is at the low end of the applicable guideline range, as contemplated in the government's recommendation, or less. This waiver is made in exchange for the concessions made by the United States in this Plea Agreement. The waiver in this paragraph does not apply to claims relating to prosecutorial misconduct and ineffective assistance of counsel.

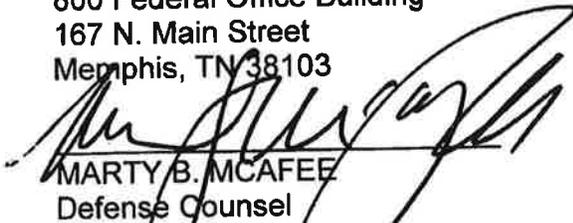
8. LARRY CHARLES GRAHAM agrees that this plea agreement constitutes the entire agreement between himself and the United States and that no threats have been made to induce him to plead guilty. By signing this document, LARRY CHARLES GRAHAM acknowledges that he has read this agreement, has discussed it with his attorney and understands it.

FOR THE UNITED STATES:

EDWARD L. STANTON III  
UNITED STATES ATTORNEY

  
CHRISTOPHER E. COTTEN  
Assistant United States Attorney  
800 Federal Office Building  
167 N. Main Street  
Memphis, TN 38103

6/20/12  
Date

  
MARTY B. MCAFEE  
Defense Counsel

6/20/12  
Date

  
LARRY CHARLES GRAHAM  
Defendant

6/20/12  
Date

## BEFORE THE TENNESSEE REAL ESTATE APPRAISER COMMISSION

## IN THE MATTER OF:

LARRY CHARLES GRAHAM  
Certified Residential (CR) No. 3181  
11661 Sabino Ct.  
Frisco, TX 75034

Case Nos. L08-APP-RBS-2008025191  
L09-APP-RBS-2009007901

---

**CONSENT ORDER**

---

Larry Charles Graham (hereinafter "Respondent"), hereby voluntarily stipulates and agrees, subject to the approval of the Tennessee Real Estate Appraiser Commission, as follows:

**AUTHORITY**

Tenn. Code Ann. §§ 62-39-204, 62-39-308, and 62-39-326 confer authority and jurisdiction in this matter upon the Tennessee Real Estate Appraiser Commission (hereinafter the "Commission").

**STIPULATED FACTS**

1. Since May of 2006, Respondent has been actively certified as a certified residential real estate appraiser (CR#3181), said certificate having been issued by this Commission. At the time he prepared both of these reports in 2004 and 2005, Respondent was a Registered Trainee with this Commission, and was required to comply with the provisions of the Uniform Standards of Professional Appraisal Practice ("USPAP"), pursuant to Tenn. Comp. R. & Reg. 1255-1-.12(4)(h).

**CASE NO. L08-APP-RBS-2008025191**

2. On January 10, 2005, Respondent (then a Registered Trainee) signed his Uniform Residential Appraisal Report of subject property located at 8951 Bazemore Road, Cordova, TN 38018. The effective date of this report was January 5, 2005. This report bears the signature of John Eric Wise, a Certified Residential appraiser in Tennessee whose certificate is now expired, who was Respondent's supervisor at that time. Mr. Wise has executed an affidavit attesting that he has never seen this report before being presented with a copy of it by the Commission's Administrative Director in

late August, 2009, that he did not sign this appraisal report, and that it was signed by the Respondent or some other individual without his permission. Respondent has denied forging or placing Mr. Wise's signature on any report and denies having any knowledge about such a forgery. Respondent also denies having had authority to sign for Mr. Wise or any access to Mr. Wise's digital signature. The proof is conflicting on this point and the Commission makes no finding in this regard.

3. This complaint was filed against Respondent in November, 2008 by a fellow practitioner, and the Respondent submitted his written response via e-mail on December 11, 2008. On October 30 and November 16, 2009, Counsel for the State requested that Respondent provide a supplemental sworn response to specific concerns in this complaint to be received by November 24, 2009, and Respondent did respond further on January 16, 2010.

4. In his initial written response to the complaint, Respondent stated that he did not maintain a workfile for the assignment, and that he was unaware that trainees were required to maintain workfiles. In Mr. Wise's affidavit dated September 19, 2009, the former supervisor states that when the Respondent left his employment in the spring of 2006, and obtained his own certificate (May of 2006), all workfiles for appraisal assignments completed by the Respondent as trainee were given to Respondent for maintenance. Respondent's failure to maintain a workfile for retrieval as to this 2005 assignment or to have made reasonable arrangements for the retrieval of the workfile from others when the Administrative Director requested copies of his workfile documentation in the fall of 2008 pursuant to this complaint, is violative of the Ethics Rule, Record Keeping Section.

5. Within this report, there is no prominent statement by Respondent of the reporting option used, which is violative of SR 2-2. Respondent also failed to include within this report any statement of the intended use, as required, in violation of SR 2-2(b)(ii). Generally, the Respondent's report does not contain sufficient information to allow the client and intended users to understand the scope of work used to develop the appraisal, in violation of SR 2-2(b)(vii).

6. The appraisal report indicates that the home is owned by Mr. "O". The report also indicates that the buyer is Ms. "W". Public records indicate, however, that Mr. "O"

was not the owner of record as of the effective date of the report (January 6, 2005). Deeds indicate that Mr. "O" acquired the home on January 21, 2005, approximately 2 weeks after the effective date of the appraisal. Deeds also indicate that he sold the home to Ms. "W". on January 28, 2005. Respondent's actions in this regard have violated SRs 1-2(e)(i), 2-1(a), & 2-2(b)(iii).

7. The appraisal report indicates the subject property was under contract for \$350,000, but contains no analysis of the sales contract. Analysis of the sales contract is particularly critical given that the home was listed in the MLS system with an asking price of \$269,000; hence, the reported sale price exceeded the asking price by approximately \$80,000 with no analysis of the sales contract in the Respondent's report. MLS reports the sales price was \$240,000; however, the deed indicates the sales price was \$350,000. The State's reviewer contacted the listing agent, and confirmed that the actual sale price of the property was \$240,000. The MLS also indicates that the selling agent was Mr. "O", who is identified (incorrectly) as the owner in the appraisal report. Respondent's actions in this regard have violated SRs 1-1(b), 1-5(a), 2-1(a), & 2-2(b)(ix).

8. MLS data indicates that the subject property was listed at the time of the appraisal. The original list price was \$289,900. The home was on the market for approximately 278 days, and the final asking price was \$269,500. The Respondent's report contains no analysis of the listing. The listing information was readily available in the MLS system. Respondent's failure to discover, analyze, and report this information is a significant error of omission. Respondent's omission of this information, given the same pattern of conduct in Case No. 2009007901, is suggestive of a possible intentional omission of this information from the appraisal report. Such actions are highly misleading, and a serious violation of the ETHICS RULE, Conduct section, and SRs 1-1(b), 1-5(a), 2-1(a), & 2-2(b)(ix).

9. The subject property was approximately seven years old on the effective date of the appraisal. The effective age of the subject property is reported by Respondent to be zero. No physical depreciation was applied by Respondent in the cost approach. Respondent's actions in this regard have violated SRs 1-1(a), & (b) 1-2(e)(i), & 1-4(b)(iii).

10. There is no explanation for the Respondent's omission of the income approach. It is likely that the income approach was not applicable in the assignment; however, Respondent's omission of the income approach must still be explained in the report. Respondent's actions in this regard have violated SR 2-2(b)(xi).

**CASE NO. L09-APP-RBS-2009007901**

11. On November 26, 2004, Respondent signed his Uniform Residential Appraisal Report of 5358 Lochinvar Road, Memphis, TN 38116, and the signature of Mr. Wise as supervisor also appears in the certification of this report. This complaint was opened based on an e-mail forwarded to the Commission's administrative office from the Assistant Commissioner of the TN Department of Financial Institutions, and the underlying civil complaint filed by Irwin Mortgage Company vs. First Financial Mortgage and Syleenia Bryant, alleging her involvement in classic flipping/straw borrower scams wherein she allegedly provided false information to the lender. The civil complaint (lawsuit) filed in Shelby County Circuit Court involves the Respondent's appraisal of 5358 Lochinvar Road, Memphis, TN ("Buford Property"), and included allegations that Respondent had over-valued this property, amongst other things.

12. The Commission's Administrative Director forwarded this complaint to Respondent for response by certified mail on April 28, 2009 to his listed business address in Memphis on file with the Commission; but this mailing was returned to the Commission unclaimed. On October 30 and November 16, 2009, Counsel for the State requested that Respondent provide a supplemental sworn response to specific concerns in this complaint to be received by November 24, 2009, and Respondent did respond further on January 16, 2010.

13. The Respondent (a trainee at the time of this assignment) has failed to provide a copy of the appraisal report for this assignment and related workfile documents, as requested by Commission staff and Counsel for the State during the investigation and processing of this complaint, in violation of the ETHICS RULE, Record Keeping section. Generally, the Respondent's report does not contain sufficient information to allow the client and intended users to understand the scope of work used to develop the appraisal,

in violation of SR 2-2(b)(vii). Respondent also failed to include within this report any statement of the intended use, as required, in violation of SR 2-2(b)(ii).

14. The appraisal report indicates that the owner of the subject property is Mr. "N". There is no record of this person ever owning the subject property. Public records and MAAR data indicate that on the effective date of the appraisal (November 24, 2004) the owner of the home was a financial company. Respondent's actions in this regard have violated SRs 1-2(e)(i), 2-1(a) & 2-2(b)(iii).

15. The appraisal report indicates that the subject property was under contract for \$80,000, but contains no analysis of the sales contract. Analysis of the sales contract is particularly critical given that the home was listed in the MLS system with an asking price of \$55,900; hence, the reported sale price exceeded the asking price by over 40%. Respondent's actions in this regard have violated SRs 1-1(b), 1-5(a), 2-1(a), & 2-2(b)(ix).

16. MLS data indicates that the subject property was listed at the time of the appraisal. The list price was \$55,900, and the listing information was readily available in the MLS system. Respondent's failure to discover, analyze, and report this information is a significant error of omission. Respondent's omission of this information, given the same pattern of conduct in Case No. 2008025191, is highly suggestive of a possible intentional omission of this information from the appraisal report. Such actions are highly misleading, and a serious violation of the ETHICS RULE, Conduct section, and SRs 1-1(b), 1-5(a), 2-1(a), & SR 2-2(b)(ix).

17. The report notes that the subject property transferred in August 2004 as a result of a foreclosure action. MAAR data and public records indicate that the home also sold in May of 2002 for \$62,900. The report contains no disclosure or analysis of this 2002 transaction. This 2002 sale occurred within three years prior to the effective date of the appraisal, therefore, reporting and analysis of this sale is required by USPAP. Respondent's actions in this regard have violated SRs 1-5(b) & 2-2(b)(ix).

18. The Respondent's report indicates that the MLS was used as a data source for sale 1. The Memphis MLS system, however, contains no record for this property. This is an untrue statement by Respondent in the report, and is very misleading. The report incorrectly indicates that sale 1 has a two car carport. MAAR data and tax assessor data both indicate, however, that the home has a two car attached garage. Hence, the

adjustment made for the two car carport appears to be an error. An adjustment of minus \$3,000 was applied to sale 3 because it has a two car attached garage. If the same adjustment would have been applied by Respondent to sale 1, the effect would be to lower the value indication by \$5,000. Respondent's actions in this regard have violated SRs 1-1(b), 1-4(a), & 2-1(a).

19. There is no explanation for the Respondent's omission of the income approach. It is likely that the income approach was not applicable in the assignment. However, Respondent's omission of the income approach must still be explained in the report. Respondent's actions in this regard have violated SR 2-2(b)(xi).

#### MITIGATION

20. The Commission is of the opinion that the severity of the above violations are considerably mitigated by the fact that Respondent had no license or certificate as an appraiser and was acting only in his capacity as a trainee at the time, and because it does not appear, as to these two assignments, that Respondent was given proper direct supervision by Mr. Wise.

#### STIPULATED CONCLUSIONS OF LAW

1. It is agreed that Respondent's actions, as set out in the foregoing Stipulated Facts, constitute violations of Tenn. Code Ann. § 62-39-326(4) & (5), the relevant portion of which reads as follows:

§ 62-39-326(4) & (5) -- The rights of any applicant or holder under a certificate as a state licensed or certified real estate appraiser may be revoked, suspended, or restricted, or the owner of the certificate may be assessed a civil penalty of up to one thousand dollars (\$1,000.00) per violation, or otherwise disciplined in accordance with the provisions of this chapter, upon any of the following grounds:

(4) An action involving dishonesty, fraud or misrepresentation; or  
(5) A violation of any of the standards for appraisals and appraisal practice as set forth in this chapter and the rules and regulations promulgated by the commission.

2. It is agreed that Respondent's actions, as set out in the foregoing Stipulated Facts, constitute violations of Tenn. Code Ann. § 62-39-329, 62-39-332(a)(2)

& (c), and Tenn. Comp. R. & Regs. 1255-5-.01(2) and 1255-1-.12(4)(h), the relevant portions of which read as follows:

§ 62-39-329 - It is the intent of this chapter that real estate appraisals be performed in accordance with generally accepted appraisal standards. Therefore, state licensed and/or certified real estate appraisers must comply with the Uniform Standards of Professional Appraisal Practice [hereinafter "USPAP"] promulgated by the Appraisal Standards Board of the Appraisal Foundation.

§ 62-39-332(a)(2) & (c) -

(a) A state licensed or certified real estate appraiser shall retain the following records for five (5) years or for at least two (2) years after the disposition of any civil, criminal or administrative proceeding in which testimony was given about an appraisal assignment or appraisal report, whichever period expires last:

(2) All reports and support data assembled and formulated by the appraiser in preparing the report.

(c) All records required to be maintained under the provisions of this chapter shall be made available by the state licensed or certified real estate appraiser for inspection and copying by the commission on reasonable notice to the appraiser

1255-5-.01(2) - Unless otherwise provided by applicable law or rule, the holder of a license or certificate as a licensed real estate appraiser, certified residential real estate appraiser or certified general real estate appraiser shall at all times comply with the 'Uniform Standards of Professional Appraisal Practice' that are in effect at the time the services are performed.

1255-1-.12(4)(h) - A registered trainee shall comply with the Uniform Standards of Professional Appraisal Practice.

3. It is agreed that Respondent's actions, as set out in the foregoing Stipulated Facts, constitute violations of the Ethics Rule Conduct and Record Keeping Sections, and Comment to Record Keeping Section, and Standard Rules (SRs) 1-1(a), & (b), 1-2(e)(i), 1-4(a), & (b)(iii), 1-5(a) & (b), 2-1(a), 2-2, 2-2(b)(ii),(iii), (vii) & (ix) and its Comment of the Uniform Standards of Professional Appraisal Practice (2004-2005 eds.), which state in pertinent part as follows:

Ethics Rule, Conduct Section ... An appraiser must perform assignments ethically and competently, in accordance with USPAP... An appraiser must not communicate assignment results in a misleading or fraudulent manner... An appraiser must not use or communicate a misleading or fraudulent report or

knowingly permit an employee or other person to communicate a misleading or fraudulent report...

Ethics Rule, Record Keeping Section, and Comment ...An appraiser must prepare a workfile for each appraisal, appraisal review or appraisal consulting assignment. The workfile must include:...

- true copies of any written reports, documented on any type of media;...

An appraiser must retain the workfile for a period of at least five (5) years after preparation...

An appraiser must have custody of his or her workfile, or make appropriate workfile retention, access, and retrieval arrangements with the party having custody of the workfile.

Comment:...A photocopy or an electronic copy of the entire actual written appraisal, appraisal review, or appraisal consulting report sent or delivered to the client satisfies the requirement of a true copy...A workfile must be made available by the appraiser when required by state enforcement agencies or due process of law.

SRs 1-1(a) & (b), 1-2(e)(i), 1-4(a) & (b)(iii) 1-5(a), & (b), 2-1(a), 2-2, 2-2(b)(ii),(iii), (vii), & (ix) and its Comment (2004-2005 eds.)

1-2(e)(i) ...In developing a real property appraisal, an appraiser must: (e) identify the characteristics of the property that are relevant to the type and definition of value and intended use of the appraisal, including: (i) its location and physical, legal and economic attributes; ...

1-4(a) & (b)(iii) ...In developing a real property appraisal, an appraiser must collect, verify, and analyze all information applicable to the appraisal problem, given the scope of work identified in accordance with Standards Rule 1-2(f).

(a) When a sales comparison approach is applicable, an appraiser must analyze such comparable sales data as are available to indicate a value conclusion.

(b)(iii) When a cost approach is applicable, an appraiser must: (iii) analyze such comparable cost data as are available to estimate the difference between the cost new and the present worth of the improvements (accrued depreciation).

1-5(a) & (b) ... In developing a real property appraisal, when the value opinion to be derived is market value, an appraiser must, if such information is available to the appraiser in the normal course of business: (a) analyze all agreements of sale, options, or listings of the subject property current as of the effective date of the appraisal; and (b) analyze all sales of the subject property that occurred within the three (3) years prior to the effective date of the appraisal.

2-1(a)... 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; ...

2-2 ... Each written real property appraisal report must be prepared under one of the following three (3) options and prominently state which option is used: Self-Contained Appraisal Report, Summary Appraisal Report, or Restricted Use Appraisal Report

2-2(b)(ii),(iii), (vii), (ix) & its Comment ... The content of a Summary Appraisal Report must be consistent with the intended use of the appraisal, and at a minimum: (ii) state the intended use of the appraisal; (iii) summarize information sufficient to identify the real estate involved in the appraisal, including the physical and economic property characteristics relevant to the assignment;... (vii) summarize sufficient information to disclose to the client and any other intended users of the appraisal the scope of work used to develop the appraisal;... Comment: ... When reporting an opinion of market value, a summary of the results of analyzing the subject sales, options, and listings in accordance with Standards Rule 1-5 is required. If such information is unobtainable, a statement on the efforts undertaken by the appraiser to obtain the information is required. If such information is irrelevant, a statement acknowledging the existence of the information and citing its lack of relevance is required.

4. Respondent's violations of Tenn. Code Ann. §§ 62-39-326(4) & (5), 62-39-329, and Tenn. Comp. R. & Reg. 1255-5-01(2), and his violations of the Ethics Rule Conduct and Record Keeping Sections, and Comment to Record Keeping Section, and Standard Rules (SRs) 1-1(a), & (b), 1-2(e)(i), 1-4(a), & (b)(iii), 1-5(a) & (b), 2-1(a), 2-2, 2-2(b)(ii),(iii), (vii) & (ix) and its Comment of the Uniform Standards of Professional Appraisal Practice (2004-2005 eds.), constitute grounds for the revocation, suspension, or restriction of his certificate as a certified residential real estate appraiser and/or the imposition of other lawful discipline, including the imposition of civil penalties pursuant to Tenn. Code Ann. §§ 56-1-308(a), 62-39-204 and 62-39-308, and Tenn. Comp. R. & Reg. 1255-5-.02(1) [CIVIL PENALTIES] and 1255-5-.01(7) [GROUNDS FOR REVOCATION, SUSPENSION AND RESTRICTION].

#### **DISPOSITION**

Respondent, for purposes of this Consent Order, agrees to the following:

1. The Respondent's certificate as a certified residential real estate appraiser in Tennessee (CR#3181) is **placed on PROBATION for a six (6) month period and Respondent is ASSESSED and shall pay to the State of Tennessee a civil penalty of two-thousand dollars (\$2,000.00), and shall reimburse the State the amount of its expert witness' (Danny K. Wiley) fees, said sum being one-thousand one hundred and fifty dollars (\$1,150.00),** based on the numerous violations of USPAP found above.

2. The terms of the probation are that Respondent is required to: (i) pay the entirety of the \$2,000.00 civil penalty and the \$1,150.00 reimbursement of expert witness fees by the end of the 6 month probationary period; and (ii) refrain from receiving any further disciplinary sanction from this Commission or from any other appraiser regulatory jurisdiction which has certified Respondent during said 6 month probationary period. **The 6 month probationary period will be revoked and Respondent will immediately serve a full 6 months' actual suspension without any requiring further procedural steps if either of the above conditions is violated by the end of the 6 month probationary period.** The 6 month probationary period will commence on the date this Order is executed by the Commission at a regular or special meeting (the effective date).

3. This Consent Order is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. Furthermore, should this Consent Order not be accepted by the Commission, it is agreed that presentation to and consideration of this Consent Order by the Commission shall not unfairly or illegally prejudice the Commission or any of its members or the Respondent from further participation in or resolution of these proceedings.

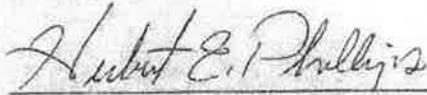
4. Respondent understands that he has a right to a hearing under the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, but Respondent is waiving that right in order to enter this settlement.

**FURTHERMORE**, Respondent hereby expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this Order.

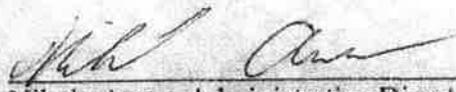
EXECUTED BY THE COMMISSION this 12 day of April, 2010.

  
Larry Charles Graham  
Respondent

APPROVED:

  
Herbert E. Phillips, Chairman  
Tennessee Real Estate Appraiser Commission

  
Jesse D. Joseph, Assistant General Counsel  
Department of Commerce and Insurance  
500 James Robertson Parkway  
Nashville, Tennessee 37243  
Telephone: (615) 532-3691 Fax: (615) 741-4000

  
Nikole Avers, Administrative Director  
Tennessee Real Estate Appraiser Commission

**BEFORE THE TENNESSEE REAL ESTATE APPRAISER COMMISSION****IN THE MATTER OF:****LARRY CHARLES GRAHAM,**  
Respondent.

Case No. L11-APP-RBS-2011030491

Certified Residential (CR) No. 3181  
11661 Sabino Court  
Frisco, TX 75033

---

**CONSENT ORDER**

---

Larry Charles Graham (hereinafter "Respondent"), hereby voluntarily stipulates and agrees, for purposes of this case only, and subject to the approval of the Tennessee Real Estate Appraiser Commission, as follows:

**AUTHORITY**

Tenn. Code Ann. §§ 62-39-204, 62-39-308, and 62-39-326 confer authority and jurisdiction in this matter upon the Tennessee Real Estate Appraiser Commission (hereinafter the "Commission").

**STIPULATED FACTS**

1. At all times pertinent herein, Respondent has been actively certified as a certified residential real estate appraiser (CR#3181), said certificate having been issued by this Commission.
2. On June 22, 2011, a seventeen count Indictment was filed against the Respondent in the US District Court for the Western District of Tennessee in Cr. No. 11-20173 MI, alleging that Respondent and Sylvia Cathey engaged in a conspiracy to commit mail, wire, and bank fraud, that the object of the conspiracy was for Respondent and Cathey to unjustly enrich themselves by fraudulently obtaining loan proceeds from federally insured financial institutions, and that these defendants engaged in money laundering as part of a mortgage fraud scheme.
3. Respondent was accused in Count 1 of this Indictment of fraudulently over-valuing and/or having financial conflicts of interest regarding the sales of twenty-

eight (28) residential properties in Memphis, TN -- most of which he appraised in 2006 and 2007, as follows:

- 1/25/07 appraisal of 1166 James Street;
- 1/5/07 appraisal of 4478 Suncrest;
- 1/5/07 appraisal of 221 Reno;
- 1/5/07 appraisal of 1227 Phillips Place;
- 1/6/07 appraisal of 1576 Brookins Street;
- 12/29/06 appraisal of 587 E. Alston Ave.;
- 2/20/07 appraisal of 4397 Beacon Hill;
- 2/20/07 appraisal of 4430 Beacon Hill;
- 3/1/07 appraisal of 4430 Rachel Road;
- 3/1/07 appraisal of 1206 Capital Ave.;
- 4/20/07 appraisal of 2537 Lisa Ave.;
- 4/23/07 appraisal of 2057 Corning Ave.;
- 5/16/07 appraisal of 2225 Aberdeen Ave.;
- 4/23/07 appraisal of 4290 Davidcrest Drive;
- 4/23/07 appraisal of 1364 Dove (Respondent also paid closing costs);
- 5/29/07 sale of 4859 Libby Lane (Respondent paid closing costs);
- 5/29/07 sale of 447 Fox Valley Drive (Respondent paid closing costs);
- 5/16/07 appraisal of 4443 Rangeline Road;
- 6/11/07 appraisal of 4447 Rangeline Road;
- 7/12/07 appraisal of 4443 Suncrest Drive;
- 7/13/07 appraisal of 1171 Fiber Road (Respondent also paid closing costs);
- 7/26/07 appraisal of 1240 Dellwood Ave.;
- 8/13/07 appraisal of 3718 Canary Cv. W. (Respondent also paid closing costs);
- 8/7/07 appraisal of 1419 Dellwood Ave.;
- 8/15/07 appraisal of 3627 Trudy Cv.;
- 8/10/07 appraisal of 3261 Ridgemont Road;
- 10/11/07 appraisal of 3715 Edgfield Cv.;
- 9/19/07 appraisal of 4431 Ryan Street; and
- 10/19/07 appraisal of 362 W. Essex

3. In June, 2012, Respondent changed his plea, and on June 21, 2012, the U.S. District Court entered an Order accepting Respondent's guilty plea to Count 1 of the Indictment of conspiracy to violate the federal mail, wire, and bank fraud statutes in violation of 18 U.S.C. § 1349, and his guilty plea to Count 4 of the Indictment in violation of 18 U.S.C. § 1956(a)(1)(A)(i) and 2 (money laundering as to the 1171 Fiber

Road closing). Respondent's sentencing before the US District Court is set for September 28, 2012.

4. The above matters regarding which Respondent has pled guilty to in federal court while awaiting sentencing, constitute federal felony offenses, and are substantially related to the qualifications, functions and duties of a person developing appraisals and communicating appraisals to others. The Respondent's actions for which he has admitted guilt in federal court involve dishonesty, fraud, or misrepresentation.

#### STIPULATED CONCLUSIONS OF LAW

1. It is agreed that Respondent's actions, as set out in the foregoing Stipulated Facts, constitute violations of Tenn. Code Ann. § 62-39-326(4) & (5), the relevant portions of which read as follows:

The rights of any applicant or holder under a certificate as a state licensed or certified real estate appraiser may be revoked, suspended, or restricted, or the owner of the certificate may be assessed a civil penalty of up to one thousand dollars (\$1,000.00) per violation, or otherwise disciplined in accordance with the provisions of this chapter, upon any of the following grounds:

(4) An action involving dishonesty, fraud, or misrepresentation; or

(5) A violation of any of the standards for appraisals and appraisal practice as set forth in this chapter and the rules and regulations promulgated by the commission.

2. It is agreed that Respondent's actions, as set out in the foregoing Stipulated Facts, constitute violations of Tenn. Code Ann. § 62-39-329 and Tenn. Comp. R. & Reg. 1255-5-.01(2), the relevant portions of which read as follows:

§ 62-39-329 - It is the intent of this chapter that real estate appraisals be performed in accordance with generally accepted appraisal standards. Therefore, state licensed and/or certified real estate appraisers must comply with the Uniform Standards of Professional Appraisal Practice [hereinafter "USPAP"] promulgated by the Appraisal Standards Board of the Appraisal Foundation.

1255-5-.01(2) - Unless otherwise provided by applicable law or rule, the holder of a license or certificate as a licensed real estate appraiser, certified residential real estate appraiser or certified general real estate appraiser shall at all times comply with the 'Uniform Standards of Professional Appraisal Practice' that are in effect at the time the services are performed.

3. It is agreed that Respondent's actions, as set out in the foregoing Stipulated Facts, constitute violations of the Preamble, Ethics Rule and Comment, Ethics Rule, Conduct Section, and Standard 2 of the Uniform Standards of Professional Appraisal Practice (USPAP) (2004 ed.), which state in pertinent part as follows:

Preamble. ...The purpose of the Uniform Standards of Professional Appraisal Practice (USPAP) is to promote and maintain a high level of public trust in appraisal practice by establishing requirements for appraisers...The appraiser's responsibility is to protect the overall public trust and it is the importance of the role of the appraiser that places ethical obligations on those who serve in this capacity...

Ethics Rule and Comment ... To promote and preserve the public trust inherent in appraisal practice, an appraiser must observe the highest standards of professional ethics...Comment: Honesty, impartiality, and professional competency are required of all appraisers under these Uniform Standards of Professional Appraisal Practice (USPAP)...

Ethics Rule, Conduct Section ...An appraiser must perform assignments ethically and competently, in accordance with USPAP and any supplemental standards agreed to by the appraiser in accepting the assignment. An appraiser must not engage in criminal conduct...An appraiser must not communicate assignment results in a misleading or fraudulent manner. An appraiser must not use or communicate a misleading or fraudulent report or knowingly permit an employee or other person to communicate a misleading or fraudulent report...

Standard 2: Real Property Appraisal Reporting ... In reporting the results of a real property appraisal, an appraiser must communicate each analysis, opinion, and conclusion in a manner that is not misleading.

4. Respondent's violations of Tenn. Code Ann. §§ 62-39-326(4) & (5) & 62-39-329 and Tenn. Comp. R. & Reg. 1255-5-01(2), and his violations of the Preamble, Ethics Rule and Comment, Ethics Rule, Conduct Section, and Standard 2 of the Uniform Standards of Professional Appraisal Practice (USPAP) (2004 ed.), constitute grounds for the revocation, suspension or restriction of his certificate as a certified residential real estate appraiser and/or the imposition of other lawful discipline, including the imposition of civil penalties pursuant to Tenn. Code Ann. §§ 56-1-308(a), 62-39-204 and 62-39-308,

and Tenn. Comp. R. & Reg. 1255-5-02(1) [CIVIL PENALTIES] and 1255-5-01(7) [GROUNDS FOR REVOCATION, SUSPENSION AND RESTRICTION].

**DISPOSITION**

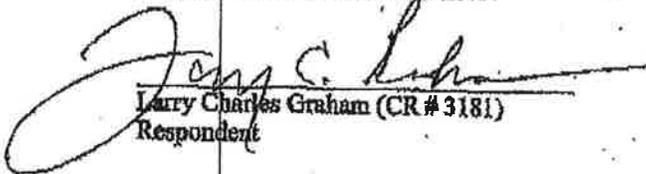
Respondent, for purposes of this Consent Order, agrees to the following:

1. Respondent's certificate as a certified residential real estate appraiser in Tennessee (CR#3181) is hereby permanently revoked, in lieu of the State taking further administrative action within this disciplinary complaint, based on the numerous violations of Tennessee law and of USPAP, noted above. Respondent shall not be eligible to apply to this Commission in the future for any license or certificate (including an application to become a registered trainee).
2. This Consent Order is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. Furthermore, should this Consent Order not be accepted by the Commission, it is agreed that presentation to and consideration of this Consent Order by the Commission shall not unfairly or illegally prejudice the Commission or any of its members or the Respondent from further participation in or resolution of these proceedings.
4. Respondent understands that he has a right to a hearing under the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, but Respondent is waiving that right in order to enter into this settlement.

**FURTHERMORE**, Respondent hereby expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this Consent Order.

EXECUTED BY THE COMMISSION this 11 day of July, 2012.

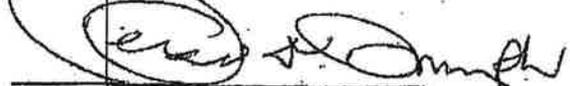
APPROVED BY RESPONDENT:

  
Larry Charles Graham (CR # 3181)  
Respondent

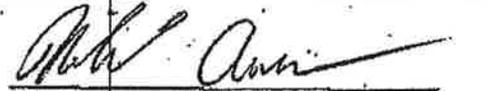
APPROVED BY THE COMMISSION:

  
Nancy S. Point, Chairman  
Tennessee Real Estate Appraiser Commission

APPROVED BY COUNSEL FOR THE STATE:

  
Jesse D. Joseph, Assistant General Counsel-Litigation  
Department of Commerce and Insurance  
500 James Robertson Parkway, 5<sup>th</sup> Floor  
Nashville, Tennessee 37243  
Telephone: (615) 532-3691 Fax: (615) 532-4750

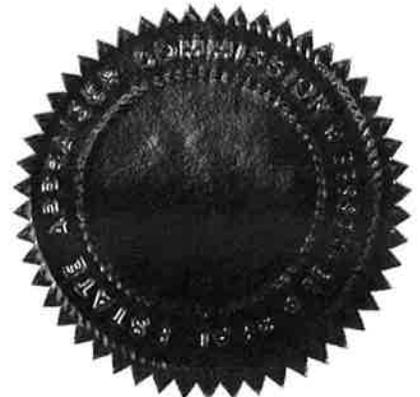
APPROVED BY COMMISSION EXECUTIVE DIRECTOR:

  
Nikole Avers, Administrative Director  
Tennessee Real Estate Appraiser Commission

I, Nikole M. Avers, as Executive Director of the Tennessee Real Estate Appraiser Commission and custodian of the records, that I do hereby attest and certify pursuant to my authority that the documents annexed are true copies of the consent orders from the complaint files referenced as 2008025191, 2009007901 and 2011030491, Respondent Larry Charles Graham, which consists of 17 pages. Said documents are authorized by law to be, and are in fact, made and maintained in the regular ordinary course of business and on file at this office and in my legal custody. In witness whereof, I have hereunto set my hand and caused the seal of my office to be affixed, at City of Nashville, in the State of Tennessee, this 14<sup>th</sup> day of March, A.D. 2013.



Nikole Avers, Executive Director, Real Estate Appraiser Commission





**Kyle Wolfe**

**From:** US\_Postal\_Service@usps.com  
**Sent:** Tuesday, July 09, 2013 12:36 PM  
**To:** kyle.wolfe@talcb.texas.gov  
**Subject:** U.S. Postal Service Track & Confirm email Restoration - 9171999991703086230377

This is a post-only message. Please do not respond.

Kyle Wolfe has requested that you receive this restoration information for Track & Confirm as listed below.

Current Track & Confirm e-mail information provided by the U.S. Postal Service.

Label Number: 9171999991703086230377

Service Type: Certified Mail™

Shipment Activity	Location	Date & Time
Delivered	AUSTIN TX 78711	May 17, 2013 9:53 am
Processed through USPS Sort Facility	AUSTIN TX 78710	May 17, 2013 4:29 am
Processed through USPS Sort Facility	AUSTIN TX 78710	May 16, 2013 2:45 pm
Processed through USPS Sort Facility	COPPELL TX 75099	May 15, 2013 12:08 pm
Processed through USPS Sort Facility	COPPELL TX 75099	May 14, 2013 8:25 pm
Moved, Left no Address	FRISCO TX 75033	May 9, 2013 1:17 pm
Notice Left	FRISCO TX 75033	May 9, 2013 1:17 pm
Depart USPS Sort Facility	COPPELL TX 75099	May 9, 2013
Processed through USPS Sort Facility	COPPELL TX 75099	May 9, 2013 2:21 am
Processed through USPS Sort Facility	COPPELL TX 75099	May 8, 2013 4:33 pm
Depart USPS Sort Facility	AUSTIN TX 78710	May 7, 2013
Processed at USPS Origin Sort Facility	AUSTIN TX 78710	May 7, 2013 7:31 pm
Accepted at USPS Origin Sort Facility	AUSTIN TX 78710	May 7, 2013 6:16 pm
Electronic Shipping Info Received		May 7, 2013

USPS has not verified the validity of any email addresses submitted via its online Track & Confirm tool.

For more information, or if you have additional questions on Track & Confirm services and features, please visit the Frequently Asked Questions (FAQs) section of our Track & Confirm tool at <http://www.usps.com/shipping/trackandconfirmfaqs.htm>.