

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

CHRISTOPHER MICHAEL GRAY
TX-1331963-R

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DOCKETED COMPLAINT NO.
07-200

AGREED FINAL ORDER

On this the 15th day of August, 2008, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Christopher Michael Gray (Respondent).

In order to conclude this matter, Christopher Michael Gray 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 Christopher Michael Gray is a Texas state certified residential real estate appraiser, holds certification number TX-1331963-R, and has been certified by the Board during all times material to the above-noted complaint case.
2. On or about May 24th, 2006, Respondent was convicted of making a false, fictitious or fraudulent claim in violation of 18 U.S.C. § 287 in the United States District Court for the Western District of Texas (San Antonio Division) in Criminal Cause No. SA 05 CR 764 FB, styled *United States of America v. Christopher Michael Gray*.
3. On or about September 13th, 2007, Margarita White filed a staff-initiated complaint with the Board. The complaint alleged that Respondent had been convicted of fraud.
4. On or about October 17th, 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 22 TEX. ADMIN. CODE § 153.20(a)(1) by the following acts or omissions:
 - a) Respondent was convicted of violating 18 USC § 287 by making a false, fictitious or fraudulent claim to the Federal Emergency Management Agency.

- b) Respondent's violation of 18 U.S.C. § 287 is a felony offense for which he is currently on probation.

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 22 TEX. ADMIN. CODE §153.20(a)(1) because he has been convicted of a felony criminal offense.

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

- a. Have his certification suspended for thirty-six months with the first twelve months of the suspension in full effect. The remaining twenty-four months of the suspension shall be fully probated under the following conditions:
 - i. During the remaining twenty-four months of suspension Respondent shall submit on a form prescribed by the Board, an appraisal experience log to the Board every three months. The log shall detail all real estate appraisal activities he has conducted during the previous three month period. This experience log shall be signed by Respondent and contain a notarized affidavit attesting that the log is true, complete and fully accurate. Upon request from the Board, Respondent shall provide copies of his appraisal reports and work files for any appraisal assignments he performs during the course of his period of probation within twenty days of notice of any such request;
 - ii. Respondent shall timely remit all installment payments of the administrative penalty;
- b. Pay to the Board an administrative penalty of \$1,500.00;
 - i. Payment of the administrative penalty shall be made in three equal, \$500.00 installments, with the first payment being due on or before September 1st, 2008 and the two remaining \$500.00 payments being due on the first of each month thereafter until paid in full; and,
- c. Comply with all provisions of the Act, the Rules of the Board, and USPAP in the future, or be subjected to further disciplinary action.

Payment of the **ADMINISTRATIVE PENALTY** must be by certified funds, and must be tendered in accordance with the provisions 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 possible revocation of the above-noted partially probated suspension.

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 1 day of August, 2008.

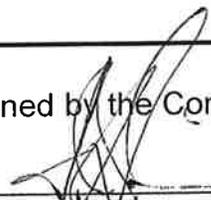

CHRISTOPHER MICHAEL GRAY

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 1 day of August, 2008, by CHRISTOPHER MICHAEL GRAY, to certify which, witness my hand and official seal.


Notary Public Signature

John Soto
Notary Public's Printed Name

Signed by the Commissioner this 15th day of AUGUST, 2008.


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

Approved by the Board and Signed this 15th day of AUGUST, 2008.


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