

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

SUMMER ANN KEY
TX-1332901-R

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COMPLAINT CASE NUMBER
15-296

DEFAULT FINAL ORDER

On this 20 day of January, 2016, 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, Summer Ann Key (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, Summer Ann Key, was a Texas state certified residential real estate appraiser who held certification number TX-1332901-R during all times material to the above-noted complaint case.
2. On or about November 20, 2014 Respondent appraised residential real property located at: 7010 Cresta Bulivar, San Antonio, Texas 78256 (the “Property”).
4. On August 18, 2015, Board staff sent Respondent a Final Notice of Complaint, to which the Respondent replied, asking for an extension. The Board granted the extension with a due date of September 4, 2015, and received no response from Respondent.
5. On December 16, 2015, the Board staff sent the Respondent a Notice of Violation and Penalty (“Notice”) to the address Respondent provided to the TALCB: P.O. Box 701374, San Antonio, Texas 78270.
6. On December 16, 2015, the Board staff also sent the Notice to the email address Respondent provided to the TALCB: skey302@gmail.com.
7. The Notice alleged that Respondent failed to provide the requested complaint response and supporting documentation. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(1), (a)(24) and 153.24(f).
8. The Notice recommended the imposition of a \$1,500 administrative penalty.

9. 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 recommendation to the Board.
10. Respondent failed to respond to the Notice in any manner.

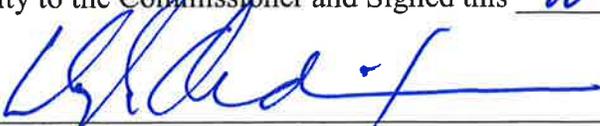
CONCLUSIONS OF LAW

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 failed to provide requested documentation in regards to TALCB complaint matter 15-296. Respondent therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(1), (a)(24) and 153.24(f).
4. The Notice recommended the imposition of a \$1,500 administrative penalty.
5. 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.
6. Respondent failed to respond to the Notice in any manner.
7. 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 Summer Ann Key is hereby assessed an administrative penalty of \$1,500, effective twenty days after the date Summer Ann Key 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 20 day of JAN, 2016.



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 25 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 act on it before the 55th 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 on Wednesday, January 20, 2016, in accordance with 1 TEX. ADMIN. CODE §155.251 a true and correct copy of the foregoing Default Final Order was mailed certified mail, return receipt requested, faxed and/or hand delivered to:

Summer Ann Key
P.O. Box 701374
San Antonio, Texas 78270

VIA CMRRR #91 7199 9991 7031 6598 0742
VIA E-MAIL: skey302@gmail.com

Summer Ann Key
16419 Ledge Way
San Antonio, Texas 78232

VIA CMRRR #91 7199 9991 7031 6598 0735



Troy Beaulieu

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

SUMMER ANN KEY
TX-1332901-R

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DOCKETED COMPLAINT NO.
15-296

NOTICE OF VIOLATION AND PENALTY

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

**I.
PARTIES AND JURISDICTION**

1. Petitioner is the Standards and Enforcement Services Division of the Texas Appraiser Licensing and Certification Board (the "Board")
2. Summer Ann Key (the "Respondent") is a Texas state certified residential real estate appraiser whose address as provided to TALCB is: P.O. Box 701374, San Antonio, Texas 78270.
3. Respondent held certification number TX-1332901-R during all times material to the below-noted violations.

**II.
SUMMARY OF ALLEGED VIOLATIONS**

4. After receiving a complaint against Respondent in complaint matter 15-296, Respondent was notified at her address of record with TALCB. Respondent was given the opportunity to respond to the allegations and asked to provide certain documentation, including a written response, her work file and appraisal report for the property located at 7010 Cresta Bulivar, San Antonio, Texas 78256
5. Despite being sent an initial notice of complaint (dated July 23, 2015) and a final



notice of complaint (dated August 18, 2015), both sent to her address of record, a response was never received from Respondent.

6. On or about August 26, 2015, Respondent sent the Board an email requesting an extension to respond to the Notice of Complaint, after Respondent had received the Board's Final Notice of Complaint. The Board extended the deadline to respond to September 4, 2015. The Board received no response to the Final Notice of Complaint.

7. Respondent has failed to provide the requested documentation. Respondent has therefore violated 22 TEX. ADMIN. CODE §§ 153.20(a)(1), (a)(24) and 153.24(f).

**III.
RECOMMENDED SANCTION AND PENALTY**

8. Petitioner recommends the imposition of a \$1,500.00 administrative penalty.

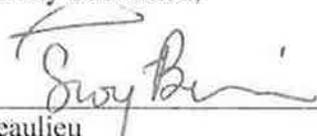
**IV.
RESPONDENT'S RIGHT TO A HEARING**

9. 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.

10. 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: 

Troy Beaulieu

Texas Bar No. 24044518

Texas Appraiser Licensing and Certification Board

P.O. Box 12188

Austin, TX 78711-2188

Tel. (512) 936-3623

Fax (512) 936-3966

**ATTORNEY FOR PETITIONER,
TEXAS APPRAISER LICENSING AND
CERTIFICATION BOARD**

CERTIFICATE OF SERVICE

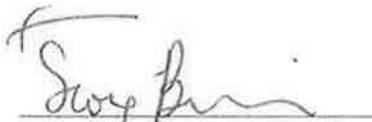
I certify that on Wednesday, December 16, 2015, in accordance with TEX. OCC. CODE § 1103.5011 a true and correct copy of the foregoing Notice of Violation and Penalty was mailed certified mail, return receipt requested, faxed and/or hand delivered to:

Summer Ann Key
P.O. Box 701374
San Antonio, Texas 78270

Via Certified Mail, Return Receipt Requested: 91 7199 9991 7031 6598 0865
Via Email: skey302@gmail.com

Summer Ann Key
16419 Ledge Way
San Antonio, Texas 78232

Via Certified Mail, Return Receipt Requested: 91 7199 9991 7031 6598 0858


Troy Beaulieu