

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

GLENDA MARI LORENZANA
TX-1334248-L

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DOCKETED COMPLAINT NO.
10-141 & 10-303

AGREED FINAL ORDER

On this the _____ day of _____, 2011, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the license of Glenda Mari Lorenzana (Respondent).

In order to conclude this matter Glenda Mari Lorenzana 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, Glenda Mari Lorenzana, is a state licensed real estate appraiser who currently holds and held license number TX-1334248-L during all times material to the above-noted complaint cases.
2. Respondent appraised 4610 N. Stewart Road, Palmhurst, Hidalgo County, Texas 78573 ("the Palmhurst property") on or about November 27th, 2009 and 325 Sapphire Street, Edinburg, Texas 78539 ("the Edinburg property") on or about August 11th, 2007.
3. On or about January 13th, 2010, Carlos Pena, the Complainant, filed a complaint regarding the Palmhurst property with the Board based on allegations that the Respondent had produced an appraisal report that contained various USPAP violations.
4. On or about May 25th, 2010, Deloris Kraft-Longoria filed a staff-initiated complaint regarding the Edinburg property based upon a referral from the Texas Department of Insurance's Fraud Unit, alleging an inflated appraisal was produced.
5. On or about January 14th, 2010 and May 20th, 2011, 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 complaints. Respondent's responses to the complaints were received.

6. Respondent violated TEX. OCC. CODE § 1103.405, 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a) by the following acts or omissions which did not conform to USPAP in effect at the time of the appraisal report for the Palmhurst property:
 - a) Respondent failed to comply with the Competency and Scope of Work Rules;
 - b) Respondent failed to comply with the record keeping provisions of the Ethics Rule;
 - c) Respondent failed to consider and report easements, restrictions, encumbrances, leases, reservations, covenants, contracts, declarations, special assessments, ordinances or other items of a similar nature;
 - d) Respondent failed to provide a brief summary of her supporting rationale and basis for her determination of the property's highest and best use;
 - e) Respondent failed to collect, verify, analyze and reconcile the cost of new improvements and failed to employ recognized methods and techniques in her cost approach;
 - f) Respondent did not completely collect, verify, analyze, and reconcile comparable sales data adequately and did not employ recognized methods and techniques in her sales comparison approach;
 - g) Respondent failed to reconcile the quality and quantity of the data within the approaches used, and the applicability or suitability of the approaches; and,
 - h) Respondent's report contains substantial errors of commission or omission as detailed above which resulted in a misleading appraisal report for the Palmhurst property.

7. Respondent violated TEX. OCC. CODE § 1103.405, 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a) by the following acts or omissions which did not conform to USPAP in effect at the time of the appraisal report for the Edinburgh property:
 - a) Respondent failed to comply with the record keeping provisions of the Ethics Rule;
 - b) Respondent failed to consider and report easements, restrictions, encumbrances, leases, reservations, covenants, contracts, declarations, special assessments, ordinances or other items of a similar nature;

- c) Respondent failed to provide a brief summary of her supporting rationale and basis for her determination of the property's highest and best use;
- d) Respondent did not completely collect, verify, analyze, and reconcile comparable sales data adequately and did not employ recognized methods and techniques in her sales comparison approach;
- e) Respondent failed to analyze the agreement of sale and listing history of the property current as of the effective date of the agreement;
- f) Respondent failed to reconcile the quality and quantity of the data within the approaches used, and the applicability or suitability of the approaches; and,
- g) Respondent's report contains substantial errors of commission or omission as detailed above which resulted in a misleading appraisal report for the Edinburgh property

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 the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Competency Rule; USPAP Scope of Work Rule USPAP Ethics Rule (record keeping provisions); USPAP Standards: 1-2(h) & 2-2(b)(vii); 1-2(e)(iv) & 2-2(b)(viii); 1-3(b) & 2-2(b)(ix); 1-4(b)(ii) & 2-2(b)(viii); 1-1(a) & 1-4(b); 1-4(a) & 2-2(b)(viii); 1-1(a) & 1-4(a); 1-5(a) & 2-2(b)(viii); 1-6(a) & (b) & 2-2(b)(viii); 1-1(a); 1-1(b); 1-1(c); and 2-1(a).
3. Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(9) by omitting material facts.

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

- a. Have her certification suspended for twenty-four months with the suspension fully probated under the following conditions:
 - a. During the probated, twenty-four month suspension period Respondent shall submit to the Board an appraisal experience log on a form prescribed by the Board. The log shall be submitted every three months and shall detail all real estate appraisal activities she has conducted during the previous three month period. This experience log shall be signed by Respondent and contain a notarized affidavit attesting the log is true, complete and fully accurate. Upon request from the Board, Respondent

shall provide copies of her appraisal reports and work files for any appraisal assignments she performs during the course of this period of probation within the twenty days of notice of any such request;

b. Respondent shall fully and timely comply with all of the provisions of this Agreed Final Order;

b. Within 12 months of the effective date of this order, Respondent shall complete 10 hours of in-person mentorship conducted by a certified USPAP instructor approved by the Board. Upon completion of the requisite mentorship hours, and, within 12 months of the effective date of this order, Respondent shall submit on a form provided by the Board, a signed, notarized affidavit attested by the certified USPAP instructor confirming completion of the mentorship hours;

c. Attend and complete a minimum, 15 classroom-hour course in USPAP;

d. Attend and complete a minimum, 15 classroom-hour course in Highest and Best Use and Market Data Analysis;

e. Attend and complete a minimum, 15 classroom-hour course in Residential Case Studies;

f. Attend and complete a minimum, 15 classroom-hour course in Report Writing;

g. Comply with all future provisions of the Act, the Rules of the Board, and USPAP in the future or be subjected to further disciplinary action.

ALL CLASSES required by this Agreed Final Order must be classes approved by the Board and must be completed within **EIGHTEEN MONTHS** of the date of this Order and documentation of attendance and successful completion of the educational requirements of this Order shall be delivered to the Board on or before the end of the eighteen-month period indicated. None of the classes or seminars required by this Order may be taken through correspondence courses. Unless otherwise noted above, all classes must be in-class, have an exam, and Respondent must have a passing grade on the exam given in each class. None of these required classes will count toward Respondent's continuing education requirements for licensure.

Failure to timely comply with any of the terms of this Final Agreed Order shall result in the **AUTOMATIC AND IMMEDIATE** revocation of Respondent's probation and imposition of the remaining period of suspension pursuant to notice to the Respondent from the Board indicating that the Respondent has not fulfilled the requirements of this Agreed Final Order. Respondent shall be notified of any such suspension or lifting of probation by certified mail, return receipt requested, to the last known address as provided to the Board.

APPRAISER LICENSING AND CERTIFICATION ACT OR THE ADMINISTRATIVE PROCEDURE ACT, AND RESPONDENT SPECIFICALLY WAIVES ANY SUCH HEARING OR DUE PROCESS.

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 2nd day of August, 2011.

Glenda Mari Lorenzana
GLENDA MARI LORENZANA

[Signature]
MARIO FLORES, ATTORNEY FOR
RESPONDENT



SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 2 day of August, 2011, by GLENDA MARI LORENZANA, to certify which, witness my hand and official seal.

[Signature]
Notary Public Signature

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Notary Public's Printed Name

Signed by the TALCB Staff Attorney this 19th day of August, 2011.

Troy Beaulieu
Troy Beaulieu, TALCB Staff Attorney
Texas Appraiser Licensing and Certification Board

Signed by the Commissioner this 19th day of August, 2011.

[Signature]
Douglas E. Oldmixon, Commissioner
Texas Appraiser Licensing and Certification Board

Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 11th day of August, 2011.



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