TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD	§	
	§	
vs.	§	DOCKETED COMPLAINT NO.
	§	07-025
	§	
LANETTE SANBORN	§	
TX-1333180-R	§	

AGREED FINAL ORDER

On this the ~~20th~~ 27th day of June, 2008, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Lanette Sanborn (Respondent).

In order to conclude this matter, Lanette Sanborn 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 Lanette Sanborn is a Texas state certified residential real estate appraiser, holds certification number TX-1321885-R, and has been certified or authorized as an appraiser trainee by the Board during all times material to the above-noted complaint case.

2. On or about August 28th, 2003, Respondent appraised real property located at 2012 Fairway Bend Drive, Haslet, Texas ("the property"). During this time Respondent was an authorized appraiser trainee.

3. On or about November 15th, 2006, the Complainant, Jack McComb, filed a staff-initiated complaint with the Board. The complaint was based on information submitted by Peter G. Kopperman, Vice President of Single Family Mortgage Business for Fannie Mae.

4. On or about November 28th, 2006 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 TEX. OCC. CODE § 1103.405 and 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 property.

a) Respondent violated the record keeping provision of USPAP;

b) Respondent has failed to report the extent of his process of collecting, confirming and reporting data;

c) Respondent has failed to identify and report the improvement(s) description adequately;

d) Respondent failed to identify and analyze the effect on use and value of existing land use regulations, economic demand, physical adaptability of the property and market area trends;

e) Respondent failed to provide a brief summary of her determination of the property's highest and best use;

f) Respondent failed to employ recognized methods and techniques in her sales comparison approach;

g) Respondent failed to analyze the agreement of sale for the property; and,

h) Respondent committed errors of omission or commission that impacted the appraisal report.

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 Ethics Rule's Record Keeping Provisions; USPAP Standards Rules: 1-2(f) & 2-2(b)(vii); 1-2(e)(i) & 2-2(b)(iii); 1-3(a) & 2-2(b)(ix); 1-3(b) & 2-2(b)(x); 1-1(a) & 1-4(b); 1-1(a) & 1-4(a) 1-5(a) & 2-2(b)(ix); 1-1(b); 1-1(c); and, 2-1(a).

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

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

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

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

d. Comply with all 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 **TWELVE 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 twelve-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 certification.

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.

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 20th day of June, 2008.

LANETTE SANBORN

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 20 day of June, 2008, by LANETTE SANBORN, to certify which, witness my hand and official seal.

James W. Hill
Notary Public Signature

JAMES W. HILL
Notary Public's Printed Name

JAMES W. HILL
Notary Public,
State of Texas
Comm. Exp. 03-21-11

Signed by the Commissioner this 27th day of June, 2008.

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

Approved by the Board and Signed this 27th day of June, 2008.

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