

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

RYAN DOUGLAS SINGLETON
TX-1333970-L

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DOCKETED COMPLAINT NO.
06-160

AGREED FINAL ORDER

On this the 11th day of FEBRUARY, 2008, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the license of Ryan Douglas Singleton, (Respondent). 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 Ryan Douglas Singleton, is a Texas state licensed real estate appraiser, holds license number TX-1333970-L, and has been licensed by the Board during all times material to the above-noted complaint case.
2. Respondent is subject to the jurisdiction of the Board, the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq. (the Act), the Rules of the Board, 22 TEX. ADMIN. CODE §§153, 155, 157 (the Rules), and the Uniform Standards of Professional Appraisal Practice (USPAP) in effect at the time of the appraisal.
3. On or about August 30th, 2004 Respondent appraised real property located at 3328 & 3330 Bright Street, Fort Worth, Texas 76119-1902 ("the property").
4. On or about June 12th, 2006, the Complainant, Guy La Brusciano filed a complaint alleging that the Respondent had produced an appraisal report that contained an erroneous market value determination.
5. On or about June 19th, 2006 the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. § 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 alleged in the complaint. Respondent's response was received.
6. The Enforcement Division has concluded that the Respondent violated 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. USPAP Supplemental Standards Rule – Respondent failed to comply with Fannie Mae requirements;

- b. USPAP Ethics Rule – Respondent failed to comply with the record keeping provisions of the USPAP’s Ethics Rule;
- c. USPAP Standards 1-1(a) & 1-4(a) – Respondent failed to employ recognized methods and techniques necessary to produce a credible appraisal report by using inappropriate comparable sales and traveling outside the immediate neighborhood;
- d. USPAP Standard 1-1(c) – Respondent rendered appraisal services in a careless or negligent manner;
- e. USPAP Standard 1-2(c) – Respondent failed to support his opinion of reasonable exposure time for the property;
- f. USPAP Standard 1-2(e) – Respondent failed to identify relevant characteristics of the property and failed to specifically describe the property or the comparables he used;
- g. USPAP Standard 1-2(f) – Respondent failed to develop and identify a scope of work necessary to complete the assignment in a credible manner;
- h. USPAP Standard 1-2(g) – Respondent failed to identify reliance on any extraordinary assumptions;
- i. USPAP Standard 1-3(b) & 2-2(b)(x) – Respondent failed to provide a brief summary of his rationale for his determination of the property’s highest and best use;
- j. USPAP Standard 1-4(b)(i) – Respondent failed to develop an opinion of site value by an appropriate method or technique;
- k. USPAP Standard 1-4(c)(i) – Respondent failed to analyze comparable sales data properly or provide any discussion on use of comparables at a great distance from the property that were much older than the property;
- l. USPAP Standard 1-4(c)(iv) – Respondent failed to base projections of future rent and/or income potential and expenses on reasonably clear and appropriate evidence;
- m. USPAP Standard 1-5(a) – Respondent failed to analyze the list price relative to the sales price and failed to analyze the agreement of sale for the property;
- n. USPAP Standard 1-5(b) – Respondent failed to address the three prior sales of the property that occurred within three years of the effective date of his report;

- o. USPAP Standard 1-6(a) – Respondent failed to reconcile the quality and quantity of the data available and analyze it within the approaches to value that he used;
- p. USPAP Standard 1-6(b) – Respondent failed to reconcile the applicability of the approaches used to arrive at the value conclusion;
- q. USPAP Standard 2-1(a) – The appraisal was set forth in a manner that was misleading;
- r. USPAP Standard 2-1(b) – Respondent failed to provide sufficient information to understand the report properly;
- s. USPAP Standard 2-1(c) – Respondent failed to accurately disclose extraordinary assumptions and failed to indicate their impact on value;
- t. USPAP Standard 2-2(b)(iii) – Respondent failed to summarize information sufficient to identify the real estate involved in the appraisal;
- u. USPAP Standard 2-2(b)(vii) – Respondent failed to summarize the actual scope of the work performed; and,
- v. USPAP Standard 2-2(b)(ix) – Respondent failed to summarize the information analyzed, the appraisal procedures followed, and the reason that supports the analyses, opinions, and conclusions.

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 USPAP provisions as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a): USPAP Supplemental Standards Rule, USPAP Ethics Rule, and USPAP Standards Rules: 1-1(a) & 1-4(a); 1-1(c); 1-2(c); 1-2(e); 1-2(f); 1-2(g); 1-3(b) & 2-2(b)(x); 1-4(b)(i); 1-4(c)(i); 1-4(c)(iv); 1-5(a); 1-5(b); 1-6(a); 1-6(b); 2-1(a); 2-1(b); 2-1(c); 2-2(b)(iii), 2-2(b)(vii); and, 2-2(b)(ix).

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

- a. Pay to the Board an administrative penalty of \$1,500.00, with the penalty being fully probated under the condition that Respondent satisfy all the terms of this Agreed Order within the time limits provided;

- b. Attend and complete a minimum, 15 classroom-hour course in USPAP;
- c. Attend and complete a minimum, 15 classroom-hour course in Residential Market Data Analysis;
- d. Attend and complete a minimum, 15 classroom-hour course in Residential Case Studies;
- e. Attend and complete a minimum, 15 classroom-hour course in Highest and Best Use; and,
- f. 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. 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 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.

Respondent, by signing this Agreed Final Order, neither admits nor denies that the findings of fact and conclusions of law herein set forth are correct; however, Respondent consents to the entry of this Agreed Order to avoid the expense of litigation and to reach an expeditious resolution of this matter. Respondent also agrees to satisfactorily comply with the mandates of this Agreed Final Order in a timely manner.

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 Consent Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 14 day of Jan, 2008.

[Handwritten Signature]

RYAN DOUGLAS SINGLETON

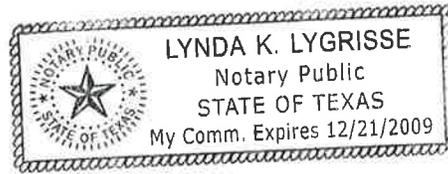
SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 14th day of January, 200~~8~~, by RYAN DOUGLAS SINGLETON, to certify which, witness my hand and official seal.

[Handwritten Signature]

Notary Public Signature

Lynda K Lygrisse

Notary Public's Printed Name



Signed by the Commissioner this 14 day of January, ~~2007~~, 2008

[Handwritten Signature]

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

Approved by the Board and Signed this 11 day of February, 200~~8~~.

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Larry Kokel, Chairperson
Texas Appraiser Licensing and Certification Board