

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

vs.

JERRY WAYNE STEWART  
TX-1327135-R

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DOCKETED COMPLAINT NO. 08-120

**AGREED FINAL ORDER**

On this the 21<sup>st</sup> day of August, 2009, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the licensure of Jerry Wayne Stewart, (Respondent). The Board makes the following findings of fact and conclusions of law and enters this Order:

In order to conclude this matter of Jerry Wayne Stewart 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 of Jerry Wayne Stewart, is a State Certified Residential Real Estate Appraiser, holds license number TX-1327135-R, and has been certified by the Board from September 5, 1996 through September 30, 2010.
2. Respondent is subject to the jurisdiction of the Board, the Texas Appraiser Licensing and Certification Act, Tex. Occ. Code Chapter 1103 (Vernon 2007) (the Act), the Rules of the Board, 22 Tex. Admin. Code §§153, 155, 157 (West 2007) (the Rules), and the Uniform Standards of Professional Appraisal Practice (USPAP) in effect at the time of the appraisal.
3. On or about May 5, 2005 and September 7, 2006, the Respondent appraised real property located at 405 Canadian Trail, Mansfield, Tarrant County, Texas 76063 (the "Canadian Trail" property).
4. On or about February 22, 2008, the Complainant, Mr. Jack McComb, Investigator for the Texas Appraiser Licensing and Certification Board, filed a staff initiated complaint with the Board based on allegations that the Respondent had produced appraisal reports that contained potential violations of USPAP and Board rules.
6. On or about February 27, 2008 the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), Tex. Gov't Code Ann. Chapter 2007, notified Respondent of the nature and accusations involved and Respondent was afforded an

opportunity to respond to the accusations alleged by the Complainant. Respondent's response was received.

7. Respondent and the Board have reached agreement on resolution of this complaint and wish to fully resolve these proceedings by means of this Agreed Final Order.

### 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 §§ 1103.451B1103.5535 (Vernon 2007).

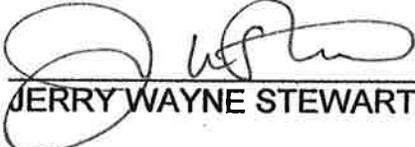
2. Pursuant to TEX. GOV. CODE §2001.056 and TEX. OCC. CODE § 1103.458, the Board is authorized to dispose of this matter by consent order.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Jerry Wayne Stewart's certification be **REVOKED** and that he shall not be entitled to apply for reinstatement:

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.

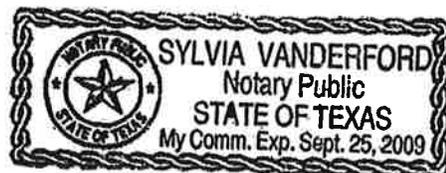
THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 2 day of May, 2009.

  
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JERRY WAYNE STEWART

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 2<sup>nd</sup> day of May, 2009, by JERRY WAYNE STEWART, to certify which, witness my hand and official seal.

  
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Notary Public Signature



  
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Notary Public's Printed Name

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Signed by the Commissioner this 21<sup>st</sup> day of August, 2009.



Loretta DeHay, Interim Commissioner  
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 21<sup>st</sup> day of August, 2009.



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