

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

SHEREE TAYLOR
TX-1324421-L

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DOCKETED COMPLAINT NO. 05-130

AGREED FINAL ORDER

On this the 9th day of February, 2007, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the license of Sheree Taylor, (Respondent). The Board makes the following findings of fact and conclusions of law and enters this Order:

FINDINGS OF FACT

1. Respondent Sheree Taylor, a state licensed real estate appraiser, holds license number TX-1324421-L, and has been licensed since December 31st, 1992.
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 July 22nd, 2005, Respondent appraised the subject property located 23945 Majestic Forrest, New Caney, Texas 77357 ("the property").
4. On August 15th, 2005, the Board received a complaint against Respondent from John Chapman of Houston, Texas, in accordance with TEX. OCC. CODE § 1103.451. The complaint alleged that Respondent produced an appraisal report that was misleading and contained violations of USPAP.
5. On or about August 26th, 2005 the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. § 2001 et. seq., and the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq., 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.
6. The Enforcement Division concluded that the Respondent's appraisal report violated the Act, the Rules of the Board, and USPAP by the following acts or omissions:
 - a. USPAP Standard 2-2 – Respondent did not indicate the report option she used.

- b. USPAP Standards 1-2(b) & 2-2(b)(ii) – Respondent failed to note the intended use of her report.
- c. USPAP Standards 1-2(f) & 2-2(b)(vii) – Respondent failed to report her scope of work for the assignment.
- d. USPAP Standards 1-2(e)(i) & 2-2(b)(iii) – Respondent did not adequately identify and report the improvements description.
- e. USPAP Standards 1-3(b) & 2-2(b)(x) – Respondent did not provide a summary statement of her supporting rationale for her determination of the subject property's highest and best use.
- f. USPAP Standards 1-4(b)(i) & 2-2(b)(ix) – Respondent did not use an appropriate method or technique to develop an opinion of the site value since there was no support for her concluded land value in her report or her work file.
- g. USPAP Standards 1-4(b)(iii) & 2-2(b)(ix) – Respondent failed to make an appropriate adjustment and/or discussion of external obsolescence even though the subject property was unique and atypical for the neighborhood.
- h. USPAP Standards 1-1(a) & 1-4(b) – Respondent did not correctly employ recognized methods and techniques in her cost approach because of the lack of support for her land value determination and her failure to make a depreciation adjustment or address external obsolescence.
- i. USPAP Standards 1-4(a) & 2-2(b)(ix) – Respondent failed to adequately collect, verify, analyze and reconcile comparable sales data. The sales gathered and analyzed are superior in quality and were not adjusted for appeal and design differences.
- j. USPAP Standards 1-1(a) & 1-4(a) – Respondent did not correctly employ recognized methods and techniques in her analysis and adjustment of comparable data.
- k. USPAP Standards 1-5(a) & 2-2(b)(ix) – Respondent did not properly analyze the listing of the subject property.
- l. USPAP Standard 1-1(a) – For the reasons noted above, Respondent did not correctly employ recognized methods and techniques to produce a credible appraisal.
- m. USPAP Standard 1-1(b) – Respondent's failure to include the "Subject History Addendum" was a substantial error that significantly affected her appraisal report.

- n. USPAP Standard 1-1(c) – Respondent was negligent or careless in rendering appraisal services due to the problems noted above.
 - o. USPAP Standard 2-1(a) – For the reasons discussed above, Respondent's report is misleading.
7. The Enforcement Division concluded that the Respondent violated 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a) by failing to conform to USPAP in effect at the time of 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 §§ 1103.451–1103.5535 (Vernon 2005).
2. Respondent violated the following USPAP provisions as prohibited by 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a): USPAP Standards Rules: 2-2; 1-2(b) & 2-2(b)(ii); 1-2(f) & 2-2(b)(vii); 1-2(e)(i) & 2-2(b)(iii); 1-3(b) & 2-2(b)(x); 1-4(b)(i) & 2-2(b)(ix); 1-4(b)(iii) & 2-2(b)(ix); 1-1(a) & 1-4(b); 1-4(a) & 2-2(b)(ix); 1-1(a) & 1-4(a); 1-5(a) & 2-2(b)(ix); 1-1(a); 1-1(b); 1-1(c); 2-1(a).

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

1. Attend and complete a minimum, 15 classroom-hour course in USPAP;
2. Attend and complete a minimum, 15 classroom-hour course in Residential Case Studies or Appraising the Tough Ones; and,
3. 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 licensure.

Failure to complete the education required by this Agreed Final Order within the time allotted shall result in **IMMEDIATE SUSPENSION** of the Respondent's license pursuant

to notice to the Respondent from the Board indicating that the Respondent has not fulfilled the educational requirements of this Agreed Final Order.

ANY SUCH SUSPENSION SHALL BE EFFECTIVE WITHOUT THE NEED FOR A HEARING OR OTHER ADMINISTRATIVE DUE PROCESS UNDER THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT OR THE ADMINISTRATIVE PROCEDURE ACT, AND RESPONDENT SPECIFICALLY WAIVES ANY SUCH HEARING OR DUE PROCESS. 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. If Respondent's license is suspended on such a basis, the suspension shall remain in effect until such time as Respondent takes and passes the required educational courses and provides adequate documentation of same to the Board.

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 Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

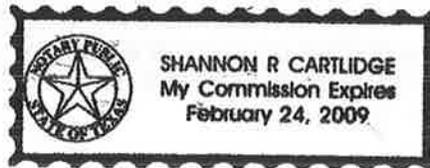
Signed this 4 day of December, 2006.

Sherree Taylor
SHEREE TAYLOR

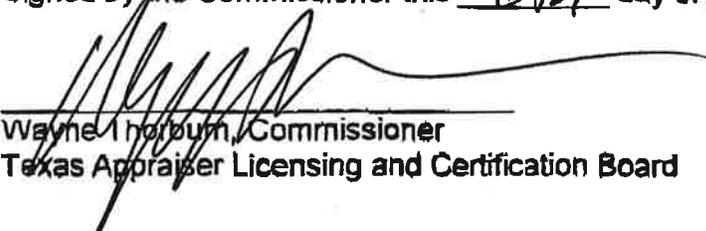
SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 4 day of December, 2006, by SHEREE TAYLOR, to certify which, witness my hand and official seal.

Shannon R. Cartlidge
Notary Public Signature

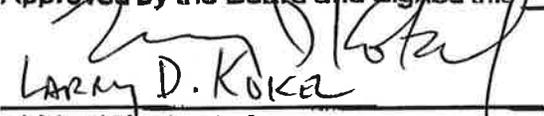
Shannon Cartlidge
Notary Public's Printed Name



Signed by the Commissioner this 6th day of December, 2006.


Wayne Thornburn, Commissioner
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 9 day of FEBRUARY, 2007.


LARRY D. KOKA
Shirley Ward, Chairperson
Texas Appraiser Licensing and Certification Board