



ARIZONA BOARD OF APPRAISAL

15 S. 15th Ave., Suite 103A
Phoenix, Arizona 85007
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Email: info@azboa.gov
Website: www.azboa.gov

December 11, 2013

Ms. Gwen M. Baker
9108 S. Beck Ave.
Tempe, AZ 85284

Re: Board of Appraisal Case No. 3374

Dear Ms. Baker,

As you know, the Board received a complaint against you for the appraisal you performed on a single family residence located at 5209 W. Windsor Avenue, Phoenix, AZ with an effective date of value of July 30, 2008.

At its November 15, 2013, monthly meeting, the Board of Appraisal again considered this matter and at the conclusion of its consideration, the Board voted to offer this Letter of Due Diligence in resolution of the above-referenced matter.

In addressing this matter, the Board reviewed the complaint, your response thereto, the appraisal, the supporting workfile, your testimony at the September Informal Hearing, your letter of November 12, 2013, and the Investigative Review.

The Board concluded that you relied solely on sales information found in the assessor's records for all comparable sales. No attempt was made to verify the data with a secondary source, such as MLS or a party to the transaction. The MLS data contained in your workfile for several of the comparables was from previous transactions and not current. You assert that you had previously inspected one or more of the comparables but there is nothing in your workfile to substantiate this assertion. Moreover, the fact that none of the comparables sold through the local MLS and with little or no down payment should have been a concern to you. It is common appraisal practice to verify sales data with more than one source. Generally, there is insufficient verification for the comparable sales and no analysis of prior transfers or terms of the sales is given. Additionally, comparable no. 1 increased 57% in three months, yet you did not provide evidence of the reason for the significant increase in a declining market. Further, your condition adjustments were not supported and the swimming pool adjustments were applied inconsistently. Unusual financing terms were not addressed or analyzed as you did not analyze seller paid concessions in the current purchase contract on the subject and its impact on the opinion of market value. While you reported that the contract is non-arm's length, there was no discussion of whether the sales price is reflective of a market transaction. Finally, your cost figures are not consistent with current data. For instance, you applied a cost per square foot reflective of a 1-car garage when the subject only has a 2-car carport.

yes deal.

we discussed this. This is not true. One cannot close FHA with no Down Payment. Tax records show large down payments. Investigative report is wrong.

The Board finds that your appraisal development and reporting violate the following standards of the Uniform Standards of Professional Appraisal Practice (USPAP) 2008-2009 edition:

Standards Rule 1-1(a), (b) and (c); Standards Rule 1-4(a) and (b) (ii); Standards Rule 1-5(b); and Standards Rule 2-1(a) and (b) (viii)

we discuss this. not all these were said to be violated.

Pursuant to Arizona Administrative Code (A.A.C.) R4-46-301 and the Board's Substantive Policy Statement #1, the Board considers these violations to amount to a

Level II Violation. In lieu of further proceedings, and pursuant to Arizona Revised Statutes (A.R.S.) §32-3632(B) and A.A.C. R4-46-301(C), the Board is willing to resolve this matter with a letter of due diligence, if you agree to remedy these violations by **successfully completing a seven (7) hour course in Sales Comparison and a seven (7) hour course in Report Writing. The coursework must be completed within six (6) months from the date of this letter as shown at the top of the first page and may be completed through distance education.** A list of approved remedial and disciplinary education courses is on the Board's website for your convenience in locating the appropriate course(s). The education may not be used toward your continuing education requirements for renewal during your next licensing period. You must submit proof of completion of the coursework to the Board within thirty (30) days of completing the coursework.

A letter of due diligence is a disciplinary action and is a matter of public record in your Board file and may be used in any future disciplinary proceedings. By signing below, you acknowledge that you have read and understand this letter of due diligence. You have the right to consult with legal counsel regarding this matter, and have done so or choose not to do so.

By signing this letter of due diligence, you are agreeing that the terms of this letter of due diligence are applicable and shall remain in effect upon the renewal of your current license/certificate or upon the issuance of a new license/certificate if all of the terms of this letter of due diligence have not been fulfilled once the current license has been renewed or a new license/certificate has been issued.

By signing this letter of due diligence, you are voluntarily relinquishing your right to judicial review in state or federal court with regard to the matters herein.

Upon signing this letter of due diligence and returning it to the Board, you may not revoke acceptance of this letter of due diligence. In addition, you may not make any modifications to this letter of due diligence. Any modifications to this letter of due diligence are ineffective and void unless mutually approved by you and the Board.

If any part of this letter of due diligence is later declared void or otherwise unenforceable, the remainder of the letter of due diligence in its entirety shall remain in force and effect.

If you agree to accept this letter of due diligence, please execute this document by your signature below. Please return the original signed document to the Board at 15 South 15th Ave., Ste. 103A, Phoenix, Arizona 85007, on or before **January 7, 2014**. If you do not accept these terms or do not return this original document on or before the specified date, the Board may conduct further proceedings.

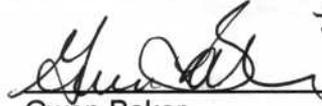
Sincerely,



Debra Rudd
Executive Director

ACKNOWLEDGED AND AGREED

I agree to take the 2 classes. Parts of this letter are untrue & I cannot agree to it in its entirety without falsify, caduce.



Gwen Baker
Respondent

1.7.14

Date

c: Jeanne M. Galvin, Assistant Attorney General
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