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BEFORE THE ARIZONA STATE BOARD OF APPRAISAL

IN THE MATTER OF:
LARRY ABBOTT, Jr.
Certified Residential Appraiser
Certificate No. 20143

CASE No. 3679
CONSENT AGREEMENT and
ORDER FOR VOLUNTARY
SUSPENSION

In the interest of a prompt and judicious settlement of the above-captioned matter before the Arizona Board of Appraisal (“Board”) and consistent with public interest, statutory requirements and responsibilities of the Board, and pursuant to A.R.S. § 32-3601 *et seq.* and A.R.S. § 41-1092.07(F)(5), Larry Abbott, Jr. (“Respondent”), holder of Certificate No. 20143 and the Board enter into this Consent Agreement and Order for Voluntary Suspension (“Consent Agreement”) as the final disposition of this matter.

On June 20, 2014, the Board met to discuss the above-captioned matter. Respondent was properly noticed and appeared on his own behalf. At the conclusion of the Board’s consideration of the issues, the Board voted to offer the Respondent a Consent Agreement and Order for Voluntary Suspension in lieu of further administrative proceedings.

JURISDICTION

1. The Arizona State Board of Appraisal (“Board”) is the state agency authorized pursuant to A.R.S. § 32-3601 *et seq.*, and the rules promulgated thereunder, found in the Arizona Administrative Code (“A.A.C.” or “rules”) at R4-46-101 *et seq.*, to regulate and control the licensing and certification of real property appraisers in the State of Arizona.

2. Respondent holds a certificate as a Certified Residential Appraiser in the State of Arizona, Certificate No. 20143 issued on August 15, 1991, pursuant to A.R.S. § 32-3612.

CONSENT AGREEMENT

Respondent understands and agrees that:

1. The Board has jurisdiction over Respondent and the subject matter pursuant to A.R.S. § 32-3601 *et seq.*

2. Respondent has the right to consult with an attorney prior to entering into this Consent Agreement.

3. Respondent has a right to a public hearing concerning this case. He further acknowledges that at such formal hearing he could present evidence and cross-examine witnesses. Respondent irrevocably waives his right to such a hearing.

4. Respondent irrevocably waives any right to rehearing or review or to any judicial review or any other appeal of this matter.

5. This Consent Agreement shall be subject to the approval of the Board and shall be effective only when signed by the Executive Director and accepted by the Board. In the event that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any action by any party, except that the parties agree that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this document or any records relating thereto.

6. The Consent Agreement, once approved by the Board and signed by the Respondent, shall constitute a public record which may be disseminated as a formal action of the Board.

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1 FINDINGS OF FACT

2 1. This matter deals with appraisal performed by Respondent of a single
3 family residence located at 2988 N. Taylor Lane, Case Grande, AZ with an effective date
4 of value of November 7, 2013.

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6 2. Respondent certified that he completed an interior and exterior inspection
7 of the subject property and he did not. The minimum scope of work requires an interior
8 and exterior inspection of the subject property that the Respondent acknowledges he did
9 not complete.

10
11 3. Further, Respondent certified that he performed a personal inspection of the
12 property and that no one provided significant real property appraisal assistance when, in
13 fact, he had another appraiser complete the inspection.

14 4. The appraisal was an FHA assignment, yet, Respondent arranged for an
15 appraiser to complete the inspection who was not FHA approved.

16
17 5. Respondent states that he did not complete the inspections because he was
18 ill at the time.

19 CONCLUSIONS OF LAW

20 The conduct described above constitutes violations of the following Standards of
21 the Uniform Standards of Professional Appraisal Practice, 2012-2013 edition:

22 **Standard Ethics Rule; Scope of Work Rule; Standards Rule 2-2(b)(xi) and**
23 **Standards Rule 2-3.**
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1 for Voluntary Suspension and subsequently applies for a license or certificate, the
2 remaining terms of this Consent Agreement for Voluntary Suspension, shall be imposed
3 if the application for license or certificate is granted.

4
5 6. Respondent has read and understands this Consent Agreement and Order
6 for Voluntary Suspension as set forth herein, and has had the opportunity to discuss this
7 Consent Agreement and Order for Voluntary Suspension with an attorney or has waived
8 the opportunity to do so. Respondent voluntarily enters into this Consent Agreement for
9 Voluntary Suspension for the purpose of avoiding the expense and uncertainty of an
10 administrative hearing.

11
12 7. Respondent understands that he has a right to a public administrative
13 hearing concerning each and every allegation set forth in the above-captioned matter, at
14 which administrative hearing he could present evidence and cross-examine witnesses. By
15 entering into this Consent Agreement and Order for Voluntary Suspension, Respondent
16 freely and voluntarily relinquishes all rights to such an administrative hearing, as well as
17 all rights of rehearing, review, reconsideration, appeal, judicial review or any other
18 administrative and/or judicial action, concerning the matters set forth herein. Respondent
19 affirmatively agrees that this Consent Agreement and Order for Voluntary Suspension
20 shall be irrevocable.

21
22 8. Respondent understands that this Consent Agreement and Order for
23 Voluntary Suspension, or any part thereof, may be considered in any future disciplinary
24 action against him.

25
26 9. Time is of the essence with regard to this agreement.

1 10. If Respondent fails to comply with the terms of this Consent Agreement
2 and Order for Voluntary Suspension, the Board shall properly institute proceedings for
3 noncompliance with this Consent Agreement and Order for Voluntary Suspension, which
4 may result in suspension, revocation, or other disciplinary and/or remedial actions.

5
6 Respondent agrees that any violation of this Consent Agreement and Order for Voluntary
7 Suspension is a violation of A.R.S. § 32-3631(A)(8), which is willfully disregarding or
8 violating any of the provisions of the Board's statutes or the rules of the Board for the
9 administration and enforcement of its statutes.

10
11 11. Respondent understands that this Consent Agreement and Order for
12 Voluntary Suspension does not constitute a dismissal or resolution of other matters
13 currently pending before the Board, if any, and does not constitute a waiver, express or
14 implied, of the Board's statutory authority or jurisdiction regard any other pending or
15 future investigation, action or proceeding. Respondent also understands that acceptance
16 of this Consent Agreement and Order for Voluntary Suspension does not preclude any
17 other agency, subdivision or officer of this state from instituting other civil or criminal
18 proceedings with respect to the conduct that is the subject of this Consent Agreement and
19 Order for Voluntary Suspension.
20

21 12. Respondent understands that the foregoing Consent Agreement and Order
22 for Voluntary Suspension shall not become effective unless and until adopted by the
23 Board of Appraisal and executed on behalf of the Board. Any modification to this
24 original document is ineffective and void unless mutually approved by the parties in
25 writing.
26

1 13. Respondent understands that this Consent Agreement and Order for
2 Voluntary Suspension is a public record that may be publicly disseminated as a formal
3 action of the Board.

4 14. The above constitute a Level IV violation.

5 **DATED** this 24th day of July, 2014.

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8 
9 Larry Abbott, Jr.
Respondent


Debra J. Rudd
Executive Director
Arizona Board of Appraisal

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11 **ORIGINAL** of the foregoing filed
12 this 24th day of July, 2014 with:

13 Arizona Board of Appraisal
14 15 South 15th Ave.,; Ste. 103A
Phoenix, Arizona 85007

15 **COPY** of the foregoing mailed regular
16 and certified mail 7012 3050 0002 0740 9538
this 25th day of July, 2014 to:

17 Mr. Larry Abbott, Jr.
18 P.O. Box 11728
Casa Grande, AZ 85130

19 **COPY** of the foregoing sent or delivered
20 this 25th day of July, 2014 to:

21 Jeanne M. Galvin
22 Assistant Attorney General
23 Arizona Attorney General's Office
1275 West Washington, CIV/LES
Phoenix, Arizona 85007

24
25 By: 
26 3877127 Kelly Lutken