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**BEFORE THE ARIZONA STATE BOARD OF APPRAISAL**

In the Matter of :

**LISA D. AMMONS,**  
**Certified Residential Appraiser**  
**No. 20875,**

Respondent.

Case Nos. 07F-2270-BOA  
07F-2271-BOA

**FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND ORDER OF REVOCATION**

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On July 19, 2007, the Arizona Board of Appraisal ("Board") met to consider the Administrative Law Judge Decision of Brian Brendan Tully in the above-captioned matter. Lisa D. Ammons ("Ms. Ammons" or "Respondent") did not appear. The State was represented by Dawn Walton-Lee, Assistant Attorney General. The Board received independent legal advice from Christopher Munns, Assistant Attorney General from the Solicitor General's Office.

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The Board, having reviewed the administrative record and the Administrative Law Judge's Findings of Fact, Conclusions of Law and Order in this matter, and having considered the written and/or oral arguments of the parties and fully deliberating the same, takes the following actions on the recommended decision:

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1. The Board hereby accepts the Findings of Fact of the Administrative Law Judge with modifications requested by the State to correct typographical errors.

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2. The Board hereby accepts the Conclusions of Law of the Administrative Law Judge.

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3. The Board hereby accepts the Order of the Administrative Law Judge to with modifications to include the Board's standard language regarding revocation decisions.

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4. The Findings of Fact, Conclusions of Law and Order shall read as follows:



**FINDINGS OF FACT**

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1. Lisa D. Ammons ("Respondent") is the holder of Residential Real Estate Appraiser Certificate No. 20875 originally issued by the State of Arizona Board of Appraisal ("Board") on September 28, 2004.

2. Certificate No. 20875 expired on August 31, 2006, due to Respondent having failed to timely renew it.

3. A certificate holder has a 90-day grace period within which to reactivate an expired certificate.

4. Respondent's certificate was renewed on October 11, 2006, with an expiration date of August 31, 2008.

5. During the period of time from the expiration of Respondent's certificate on August 31, 2006 until it was renewed on October 11, 2006, Respondent was prohibited from performing work as a certified residential real estate appraiser.

6. On November 1, 2006, Raymond Kowantz filed with the Board a completed Real Estate Appraiser Violation Complaint against Respondent, in connection with an appraisal she performed for 111 East Elm Street, Tucson, Arizona. Board staff assigned case number 2270 to Mr. Kowantz's complaint.

7. Respondent completed a Uniform Residential Appraisal Report for the Elm Street property dated September 13, 2006, signed it and included her certified residential real estate appraiser number below her signature. Respondent listed the expiration date for her certificate as August 31, 2008.

8. Mr. Kowantz's complaint also involved a second appraisal for a property located at 934 West Farr Street, Tucson, Arizona. That complaint was numbered 2271 by Board staff.

1           9.       Respondent completed and signed the Uniform Residential Appraiser Report on  
2 September 13, 2006 for the West Farr Street property. She utilized her certificate number and  
3 listed August 31, 2008 as the expiration date for her certificate.

4           10.      Mr. Kowantz paid Respondent a total of \$800.00 for the two appraisals.

5           11.      After Mr. Kowantz discovered that Respondent's certificate had expired, his  
6 company hired another certified residential real estate appraiser to appraise the properties. He  
7 requested a refund of the \$800.00 paid to Respondent for the two appraisals. Although  
8 Respondent assured Mr. Kowantz in writing that she would refund the \$800.00, she has never  
9 done so.

10          12.      By letters dated November 15, 2006, the Board's Executive Director, Deborah G.  
11 Pearson, advised Respondent of Mr. Kowantz's complaints and requested, among other things,  
12 a response to his allegations. The Domestic Return Receipts for the certified mailings reflect  
13 that Respondent received the letters on November 16, 2006.

14          13.      On February 8, 2007, Ms. Pearson issued a Subpoena Duces Tecum for  
15 Complaints No. 2270 and 2271. The Domestic Return Receipt for that mailing indicates that it  
16 was received by an individual at Respondent's address of record with the Board on February  
17 14, 2007.

18          14.      The Board subsequently issued a Complaint and Notice of Public Hearing in  
19 Complaint Nos. 2270 and 2271 and sent a copy of it to Respondent's address of record by both  
20 regular mailing and certified mailing.

21          15.      The Board forwarded the two complaints to the Office of Administrative Hearings,  
22 an independent agency, for formal hearing.

23          16.      The commencement of the formal hearing was delayed approximately 15  
24 minutes to allow for the late arrival of Respondent or an attorney authorized to represent her.  
25 After the delay, the Administrative Law Judge conducted the hearing in Respondent's absence.  
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**CONCLUSIONS OF LAW**

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2           1.       The Board has jurisdiction over Respondent and the subject matters in the two  
3 complaints.

4           2.       Pursuant to A.R.S. § 41-1092.07(G)(2), the Board has the burden of proof in  
5 these matters. The standard of proof is preponderance of the evidence. A.A.C. R2-19-119(A).

6           3.       In Complaint No. 2270, Respondent violated the provisions of A.R.S. § 32-  
7 3631(A)(5).

8           4.       In Complaint No. 2271, Respondent violated the provisions of A.R.S. § 32-  
9 3631(A)(5).

10          5.       In Complaint No. 2270, Respondent violated the provisions of A.R.S. § 32-  
11 3631(A)(8) and A.A.C. R4-46-301(A)(2)(b).

12          6.       In Complaint No. 2271, Respondent violated the provisions of A.R.S. § 32-  
13 3631(A)(8) and A.A.C. R4-46-301(A)(2)(b).

14          7.       Pursuant to A.R.S. § 32-3632(B), the Board may impose disciplinary action  
15 against Respondent's certificate for the above violations.

**ORDER OF REVOCATION**

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17           In issuing this order of discipline, the Board considers its obligations to fairly and  
18 consistently administer discipline, its burden to protect the public welfare and safety, as well as  
19 all aggravating and mitigating factors presented in the case. Based on the foregoing Findings of  
20 Fact and Conclusions of Law, **IT IS HEREBY ORDERED:**

21           1.       That residential appraiser certificate No. 20875 issued to Ms. Ammons to  
22 practice as a Certified Residential Appraiser be revoked as of the effective date of this Order.

23           2.       That Ms. Ammons shall immediately surrender her license by returning it to the  
24 Board office.



1 Copy of the foregoing personally served  
this 23<sup>rd</sup> day of July, 2007, on:

2 Office of Administrative Hearings  
3 1400 West Washington, Suite 101  
Phoenix, AZ 85007  
4

5 Copy of the foregoing mailed via regular U.S.  
& Certified Mail #7005 1820 0000 5286 9126  
6 this 23<sup>rd</sup> day of July, 2007, to:

7 LISA D. AMMONS  
2721 W. CAMINO LLANO  
8 TUCSON, AZ 85742

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10 Copies of the foregoing sent by interagency  
this 23<sup>rd</sup> day of July, 2007, to:

11 DAWN WALTON-LEE  
ASSISTANT ATTORNEY GENERAL  
12 1275 W. WASHINGTON  
PHOENIX, AZ 85007

CHRISTOPER MUNNS  
ASSISTANT ATTORNEYS GENERAL  
SOLICITOR GENERAL'S OFFICE  
1275 W. WASHINGTON  
PHOENIX, AZ 85007

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Deborah G. Pearson

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1 Copy of the foregoing remailed via U.S.  
2 Certified Mail #7006 0100 0002 8652 4674  
3 this 13th day of August, 2007, to:

4 LISA D. AMMONS  
5 2721 W. CAMINO LLANO  
6 TUCSON, AZ 85742

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9 Deborah G. Pearson

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