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BEFORE THE ARIZONA STATE BOARD OF APPRAISAL

In the Matter of :

Case Nos. 2184 and 2188

ANTHONY A. CARDINAL
Licensed Residential Appraiser
License No. 11158

**CONSENT AGREEMENT AND ORDER
OF DISCIPLINE**

On February 15, 2007, the Arizona Board of Appraisal ("Board") discussed Case Nos. 2184 and 2188 regarding Anthony A. Cardinal ("Respondent"). After reviewing the information presented, the Board voted to offer Respondent the opportunity to enter into this Consent Agreement and Order of Discipline ("Consent Agreement").

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 is a Licensed Residential Appraiser in the State of Arizona, holder of License No. 11158, issued on October 5, 2004, pursuant to A.R.S. § 32-3612.

FINDINGS OF FACT

Case No. 2184

1. This case involves the appraisal of property located at 1650 Starlight Drive in Lakeside, Arizona, with an effective date of April 21, 2006.

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1 15. The parties agree that this Consent Agreement constitutes final
2 resolution of this disciplinary matter.

3 16. Time is of the essence with regard to this agreement.

4 17. If Respondent fails to comply with the terms of this Consent Agreement,
5 the Board shall properly institute proceedings for noncompliance with this Consent
6 Agreement, which may result in suspension, revocation, or other disciplinary and/or
7 remedial actions. Respondent agrees that any violation of this Consent Agreement is a
8 violation of A.R.S. § 32-3631(A)(8), which is willfully disregarding or violating any
9 of the provisions of the Board's statutes or the rules of the Board for the
10 administration and enforcement of its statutes.

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

19 19. Respondent understands that the foregoing Consent Agreement shall not
20 become effective unless and until adopted by the Board of Appraisal and executed on
21 behalf of the Board. Any modification to this original document is ineffective and
22 void unless mutually approved by the parties in writing.

23 20. Respondent understands that this Consent Agreement is a public record
24 that may be publicly disseminated as a formal action of the Board.

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1 the date the appraisal was issued, and the number of hours worked on each
2 assignment. The report log shall be filed monthly beginning the 15th day of the first
3 month following the start of Respondent's probationary period and continuing each
4 month thereafter until the Board terminates the probation. If the log reporting date
5 falls on a Saturday, Sunday, or holiday, the report log is due on the next business day.

6 **Even if Respondent performs no appraisals within a given month, he must still**
7 **file an appraisal log with the Board showing that no appraisals were performed.**

8 The monthly log report may be field by mail or facsimile.

9 6. The Board reserves the right to audit any of Respondent's reports and
10 conduct peer review, as deemed necessary, during the probationary period. The Board
11 may, in its discretion, seek separate disciplinary action against the Respondent for any
12 violation of the applicable statutes and rules discovered in an audit of the
13 Respondent's appraisal reports provided to the Board under the terms of this Consent
14 Agreement.

15 7. Respondent's probation shall continue until: (a) Respondent petitions
16 the Board for termination as provided in paragraph 8, and (b) the Board terminates the
17 probation. Upon petition by the Respondent for termination of the probation, the
18 Board will select and audit 3 of Respondent's appraisal reports.

19 8. At the end of **one (1) year** from the effective date of this Consent
20 Agreement, the Respondent must petition the Board for termination of his probation.
21 If the Board determines that Respondent has not complied with **all** the requirements of
22 this Consent Agreement, the Board, at its sole discretion, may either: (a) continue the
23 probation; or (b) institute proceedings for noncompliance with this Consent
24 Agreement, which may result in suspension, revocation, or other disciplinary and/or
25 remedial action.

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1 9. Respondent shall not act as a supervising appraiser for other appraisers or
2 trainees, nor shall he act as a mentor, during the term of the probation. Respondent shall
3 also not teach any course related to real estate appraisals during the term of the probation.
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5 10. Respondent shall comply with the Uniform Standards of Professional
6 Appraisal Practice in performing all appraisals.

7 11. If, between the effective date of this Consent Agreement and the
8 termination of Respondent's probation by the Board, Respondent fails to renew his
9 license while under this Consent Agreement and subsequently applies for a license or
10 certificate, the remaining terms of this Consent Agreement, including probation and
11 mentorship, shall be imposed if the application for license or certificate is granted.

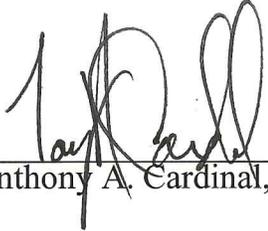
12 12. Respondent has read and understands this Consent Agreement as set
13 forth herein, and has had the opportunity to discuss this Consent Agreement with an
14 attorney or has waived the opportunity to discuss this Consent Agreement with an
15 attorney. Respondent voluntarily enters into this Consent Agreement for the purpose
16 of avoiding the expense and uncertainty of an administrative hearing.

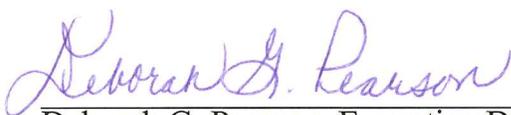
17 13. Respondent understands that he has a right to a public administrative
18 hearing concerning each and every allegation set forth in the above-captioned matter,
19 at which administrative hearing he could present evidence and cross-examine
20 witnesses. By entering into this Consent Agreement, Respondent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

25 14. Respondent understands that his Consent Agreement, or any part
26 thereof, may be considered in any future disciplinary action against him.

1 21. Pursuant to the Board's Substantive Policy Statement #1, the Board
2 considers this violation to amount to a Level III Violation.

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4 DATED this ^{19th} ~~12~~ day of April, 2007.

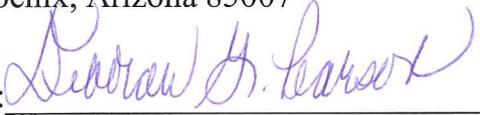
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6 
7 Anthony A. Cardinal, Respondent


Deborah G. Pearson, Executive Director
Arizona Board of Appraisal

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10 **ORIGINAL** of the foregoing filed
11 this ^{19th} day of April, 2007 with:
12 Arizona Board of Appraisal
13 1400 West Washington Street, Suite 360
14 Phoenix, Arizona 85007

15 **COPY** of the foregoing mailed regular and U.S.
16 Certified Mail # ^{7005 1820 0000 5286 8563}
17 this ^{19th} day of April, 2007 to:
18 Anthony A. Cardinal
19 3150 N. Tam Oshanter Drive
20 Flagstaff, Arizona 86004
21 Respondent

22 **COPY** of the foregoing sent or delivered
23 this ^{19th} day of April, 2007 to:
24 Elizabeth A. Campbell
25 Assistant Attorney General
26 Arizona Attorney General's Office
1275 West Washington, CIV/LES
Phoenix, Arizona 85007

By: 
#492760