



ARIZONA BOARD OF APPRAISAL

1400 West Washington, Suite 360
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ARIZONA BOARD OF APPRAISAL

November 21, 2007

Enzo Garino
Licensed Appraiser
3154 E. Tiffany Way
Gilbert, Arizona 85297

Re: Board of Appraisal Case No. 2413

Dear Mr. Garino:

As you know, the Board received a complaint regarding an appraisal you performed on property located at 18 Prairie Dog Road in Ash Fork, Arizona with an effective date of May 4, 2007. In addressing this matter, the Board reviewed the complaint, your response thereto, the appraisal, the supporting work file, and the investigative report. A copy of the investigative report is attached for your reference. The Board finds that your appraisal development and reporting violate the following standards of the Uniform Standards of Professional Appraisal Practice (USPAP), 2006 edition:

Standards Rule 1-1(a); Standards Rule 1-2(b); Standards Rule 1-2(c); Standards Rule 1-3(a); Standards Rule 1-5(b); Standards Rule 2-2(b)(viii); Ethics Rule, Recordkeeping

Please refer to the investigative report for a more detailed analysis of the violations listed above. 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 this letter of due diligence, if you agree to remedy these violations through exercising greater due diligence in **restricting the performance of appraisals to within your scope of practice, i.e., non-complex properties, and by successfully completing a minimum of thirty (30) hours of coursework in basic appraisal practice, and a minimum of fifteen (15) hours of coursework in report writing. The course(s) must be completed within six (6) months from the date of this letter as shown on the first page of this letter.** The education may not be used toward your continuing education requirements for renewal during your next licensing period. 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 proceeding.

By signing below, you acknowledge that you have read and understood 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 voluntarily relinquishing your right to an informal hearing, formal hearing, and 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 fail to comply with the terms of this letter of due diligence, the Board shall properly institute proceedings for noncompliance, which may result in suspension, revocation, or other disciplinary and/or remedial actions. By signing this letter of due diligence, you agree that any violation of this letter of due diligence is a violation of A.R.S. § 32-3631(A)(8), which is willfully disregarding or violating any of the provisions of the Board's statutes or the rules of the Board for the administration and enforcement of its statutes.

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 1400 W. Washington, Suite 360, Phoenix, Arizona 85007, on or before **December 3, 2007**. If you do not accept these terms or do not return this original document on or before the specified date, the Board will conduct further proceedings.

Sincerely,



Deborah G. Pearson
Executive Director

ACKNOWLEDGED AND AGREED


Enzo Garino, Respondent

12-2-2007
Date

attachment

c: Dawn Walton-Lee, Assistant Attorney General

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