

1 **BEFORE THE ARIZONA STATE BOARD OF APPRAISAL**

2
3 In the Matter of:

4 **MICHELLE L. HANKE**
5 Licensed Residential Appraiser
6 Certificate No. 10862

Case Nos. 2433, 2446 and 2447

**AMENDED CONSENT AGREEMENT
AND ORDER**

7 On April 4, 2008, in the interest of a prompt and judicious settlement of the above-
8 captioned matters before the Arizona Board of Appraisal ("Board") and consistent with
9 public interest, statutory requirements and responsibilities of the Board, and pursuant to
10 A.R.S. § 32-3601 *et seq.* and A.R.S. § 41-1092.07(F)(5), Michelle L. Hanke,
11 ("Respondent"), holder of certificate no. 10862 and the Board entered into a Consent
12 Agreement, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as
13 the final disposition of the above-referenced matters.

14 This Amended Consent Agreement and Order is being entered into as a result of
15 Respondent's failure to comply with the education requirements stated in the April 4,
16 2008 Consent Agreement and Order in Case Nos. 2433, 2446 and 2447.

17
18 **JURISDICTION**

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

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1 ORDER OF DISCIPLINE

2 Based upon the foregoing Findings of Fact and Conclusions of Law, the parties
3 agree to the following Order of Discipline:

4 1. Beginning on the effective date of this Amended Consent Agreement,
5 which is the date the Amended Consent Agreement is accepted by the Board as
6 evidenced by the signature of the Executive Director, Respondent's Certificate No. 10862
7 shall be suspended until such time Respondent takes and successfully completes the 15
8 hours of education in the areas of sales practice and principles of sales comparison and a
9 minimum of 6 hours of mortgage fraud.
10

11 2. Within thirty (30) days of Respondent's successful completion of the
12 education referenced above in paragraph 1, Respondent must submit proof of her
13 successful completion of the required education to the Board. In addition, if Respondent
14 desires reinstatement of her certificate upon successful completion of the education, she
15 must petition the Board in writing to request such reinstatement and pay the required
16 reinstatement fee, if any.
17

18 3. If, between the effective date of this Amended Consent Agreement and the
19 reinstatement of Respondent's certificate by the Board, Respondent fails to renew her
20 certificate while under this Amended Consent Agreement and subsequently applies for a
21 license or certificate, the remaining terms of the Original Consent Agreement and Order,
22 including probation and mentorship, shall be imposed if the application for license or
23 certificate is granted.
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1 4. Respondent has read and understands this Amended Consent Agreement as
2 set forth herein, and has had the opportunity to discuss this Amended Consent Agreement
3 with an attorney or has waived the opportunity to discuss this Amended Consent
4 Agreement with an attorney. Respondent voluntarily enters into this Amended Consent
5 Agreement for the purpose of avoiding the expense and uncertainty of an administrative
6 hearing.
7

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

17 6. Respondent understands that this Amended Consent Agreement, or any part
18 thereof, may be considered in any future disciplinary action against her.
19

20 7. The parties agree that this Amended Consent Agreement constitutes final
21 resolution of this disciplinary matter and Respondent further understands that the terms
22 and conditions of the original Consent Agreement and Order remain in full force and
23 effect.
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25 8. Time is of the essence with regard to this agreement.
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1 9. If Respondent fails to comply with the terms of this Amended Consent
2 Agreement, the Board shall properly institute proceedings for noncompliance with this
3 Amended Consent Agreement, which may result in suspension, revocation, or other
4 disciplinary and/or remedial actions. Respondent agrees that any violation of this
5 Amended Consent Agreement is a violation of A.R.S. § 32-3631(A)(8), which is willfully
6 disregarding or violating any of the provisions of the Board's statutes or the rules of the
7 Board for the administration and enforcement of its statutes.
8

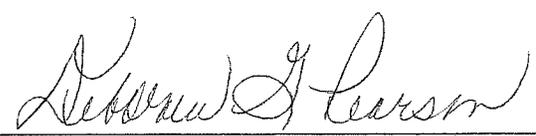
9 10. Respondent understands that this Amended Consent Agreement does not
10 constitute a dismissal or resolution of other matters currently pending before the Board, if
11 any, and does not constitute any waiver, express or implied, of the Board's statutory
12 authority or jurisdiction regard any other pending or future investigation, action or
13 proceeding. Respondent also understands that acceptance of this Amended Consent
14 Agreement does not preclude any other agency, subdivision or officer of this state from
15 instituting other civil or criminal proceedings with respect to the conduct that is the
16 subject of this Amended Consent Agreement.
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19 11. Respondent understands that the foregoing Amended Consent Agreement
20 shall not become effective unless and until adopted by the Board of Appraisal and
21 executed on behalf of the Board. Any modification to this original document is
22 ineffective and void unless mutually approved by the parties in writing.
23

24 12. Respondent understands that this Amended Consent Agreement is a public
25 record that may be publicly disseminated as a formal action of the Board.
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1 DATED this ^{24th} ~~4th~~ day of September, 2008.

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4 
5 Michelle L. Hanke, Respondent


Deborah G. Pearson, Executive Director
Arizona Board of Appraisal

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7 **ORIGINAL** of the foregoing filed
8 this 9th day of September, 2008 with:

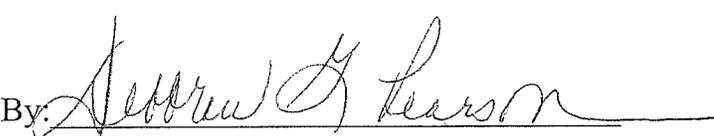
9 Arizona Board of Appraisal
10 1400 West Washington Street, Suite 360
Phoenix, Arizona 85007

11 **COPY** of the foregoing mailed regular mail *certified mail*
this 25th day of September, 2008 to: 7007 2560 0001 3358 8829

12 Michelle L. Hanke
13 6635 West Happy Valley Rd.
14 PMB 453
Glendale, Arizona 85310

15 **COPY** of the foregoing sent or delivered
this 25th day of September, 2008 to:

16 Jeanne M. Galvin
17 Assistant Attorney General
18 Arizona Attorney General's Office
1275 West Washington, CIV/LES
Phoenix, Arizona 85007

19
20 By: 
21

22 263186

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