

BEFORE THE ARIZONA STATE BOARD OF APPRAISAL

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ARIZONA BOARD OF APPRAISAL

In the Matter of :

Case No. 2493

DAWNA ROGERS
Licensed Residential Appraiser
Certificate No. 11124

**CONSENT AGREEMENT AND ORDER
OF DISCIPLINE**

In lieu of further litigation, and in resolution of the case herein, the Arizona State Board of Appraisal ("Board") and Dawna Rogers ("Respondent") hereby enter into the following Consent Agreement and Order.

This Consent Agreement and Order is being entered into as a result of Respondent's failure to comply with the education requirements stated in the Letter of Remedial Action in Case No. 2262.

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 Certificate No. 11124, issued on August 3, 2004, pursuant to A.R.S. § 32-3612.

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FINDINGS OF FACT

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2 3. On or about March 8, 2007, the Board issued to Respondent a Non-
3 Disciplinary Letter of Remedial Action (“March 2007 Letter”) in case number 2262. The
4 March 2007 Letter is attached as **Exhibit A** and incorporated fully herein.

5
6 4. The March 2007 Letter required that on or before September 7, 2007,
7 Respondent was to have successfully completed seven (7) hours of Cost Approach
8 continuing education (no exam required). The Board provided that the education could be
9 obtained through distance education and may be counted toward Respondent’s continuing
10 education requirements for renewal of her certificate.

11
12 5. Respondent did not appeal the Board’s issuance of the Letter of Remedial
13 Action.

14 6. Respondent did not complete the required education before September 7,
15 2007.

16 7. On September 20, 2007, the Board opened the present case (2493) alleging
17 Respondent’s non-compliance with the March 2007 Letter.

18 8. In November of 2007, the Board voted to re-offer Respondent a non-
19 disciplinary Letter of Remedial Action providing her with an extension of time within
20 which to comply with the terms of the March 2007 Letter.

21
22 9. Respondent signed the new Letter of Remedial Action (“November 2007
23 Letter Agreement”). The November Letter Agreement is attached as Exhibit B and
24 incorporated fully herein. Respondent now had until December 31, 2007 to successfully
25 complete the seven (7) hours of Cost Approach continuing education.
26

1 Agreement, Respondent's Certificate No. 11124 shall be suspended for a period of **six (6)**
2 **months.** However, such suspension shall be stayed if Respondent successfully completes
3 the following education and submits proof of successful completion to the Board within
4 ninety (90) days of the effective date of this Consent Agreement: **Seven (7) hours of**
5 **Cost Approach.**
6

7 15. The education required under paragraph 14 may be counted toward the
8 continuing education requirements for the renewal of Respondent's certificate.

9 16. The Respondent shall bear all costs and expenses incurred in attending the
10 course(s).
11

12 17. Respondent shall comply with the Uniform Standards of Professional
13 Appraisal Practice in performing all appraisals.

14 18. Respondent acknowledges that she has the right to retain counsel. Further,
15 Respondent acknowledges that by entering into this Consent Agreement and Order, she
16 waives all present and future rights to administrative or court appeal of this matter,
17 including the right to hearing, rehearing, or judicial review except as may be necessary in
18 a formal hearing should Respondent not comply with the terms of this Consent
19 Agreement and Order.
20

21 19. The parties agree that this Consent Agreement and Order of Discipline
22 constitutes final resolution of this disciplinary matter.
23

24 20. Time is of the essence as to the terms of this agreement.
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2 Phoenix, Arizona 85007

3 By: *Edward G. Pearson*

4 #218596

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