

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

2 **IN THE MATTER OF:**

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ARIZONA BOARD OF APPRAISAL

CASE No. 3258

3 **LUIS F. LLANOS**
4 Certified Residential Appraiser
5 Certificate No. 21795

**CONSENT AGREEMENT
AND ORDER FOR VOLUNTARY
SURRENDER**

6 In the interest of a prompt and judicious settlement of the above-captioned matter
7 before the Arizona Board of Appraisal ("Board") and consistent with public interest,
8 statutory requirements and responsibilities of the Board, and pursuant to A.R.S. § 32-3601
9 *et seq.* and A.R.S. § 41-1092.07(F)(5), Luis F. Llanos, ("Respondent"), holder of
10 Certificate No. 21795 and the Board enter into this Consent Agreement, Findings of Fact,
11 Conclusions of Law and Order ("Consent Agreement") as the final disposition of this
12 matter.

13 Having received written notification from Respondent that he wishes to
14 voluntarily surrender his appraisal certificate rather than defend himself in case no. 3258,
15 the Board is offering Respondent this Consent Agreement and Order for Voluntary
16 Surrender in lieu of further administrative proceedings.

17 **JURISDICTION**

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

23
24 2. Respondent holds a Certificate as a Certified Residential Appraiser in the
25 State of Arizona, Certificate No. 21795 issued on December 31, 2007 pursuant to A.R.S.
26 § 32-3612.

1 FINDINGS OF FACT

2 1. On or about May 4, 2011, the Board notified Respondent that complaint no.
3 3258 had been filed against him.

4 2. When asked to respond to the complaint, Respondent notified the Board on
5 May 4, 2011, that he was no longer engaged in the appraisal profession and that he
6 wished to surrender his appraisal certificate in lieu of further administrative proceedings.
7

8 CONCLUSIONS OF LAW

9 Pursuant to A.R.S. § 32-3631, a certified or licensed appraiser in the State of
10 Arizona may be disciplined for any grounds set forth in the statutes, including (A)(8)
11 “Wilfully disregarding or violating any of the provisions of this chapter or the rules of the
12 board for the administration and enforcement of this chapter.”
13

14 ORDER

15 Based upon the foregoing Findings of Fact and Conclusions of Law, the parties
16 agree to the following:

17 1. **Upon the effective date of this Consent Agreement for Voluntary**
18 **Surrender, Respondent’s Certificate as a Certified Residential Appraiser shall be**
19 **surrendered.** Once the surrender is effectuated, Respondent **shall not issue a verbal or**
20 **written appraisal, appraisal review, or consulting assignment in the State of**
21 **Arizona.** The effective date of this Consent Agreement for Voluntary Surrender is the
22 date the consent Agreement for Voluntary Surrender is accepted by the Board as
23 evidenced by the signature of the Board’s Executive Director.

24 2. Respondent has read and understands this Consent Agreement for
25 Voluntary Surrender as set forth herein, and has had the opportunity to discuss this
26

1 Consent Agreement for Voluntary Surrender with an attorney or has waived the
2 opportunity to discuss this Consent Agreement for Voluntary Surrender with an attorney.
3 Respondent voluntarily enters into this Consent Agreement for Voluntary Surrender for
4 the purpose of avoiding the expense and uncertainty of an administrative hearing.

5 3. Respondent understands that he has a right to a public administrative
6 hearing concerning each and every allegation set forth in the above-captioned matter, at
7 which administrative hearing he could present evidence and cross-examine witnesses. By
8 entering into this Consent Agreement for Voluntary Surrender, Respondent freely and
9 voluntarily relinquishes all rights to such an administrative hearing, as well as all rights
10 of rehearing, review, reconsideration, appeal, judicial review or any other administrative
11 and/or judicial action, concerning the matters set forth herein. Respondent affirmatively
12 agrees that this Consent Agreement for Voluntary Surrender shall be irrevocable.
13 Respondent further waives any and all claims or causes of action, whether known or
14 unknown, that Respondent may have against the State of Arizona, the Board, its
15 members, officers, employees and/or agents arising out of this matter.

16 4. Respondent understands that this Consent Agreement for Voluntary
17 Surrender or any part thereof, may be considered in any future disciplinary action against
18 him or in any future decision regarding re-certification.

19 5. The parties agree that this Consent Agreement for Voluntary Surrender
20 constitutes final resolution of this disciplinary matter.

21 6. Time is of the essence with regard to this agreement.

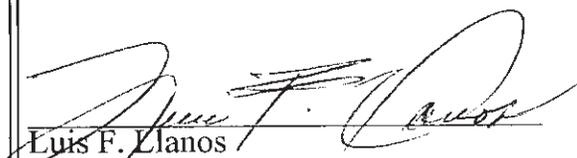
22 7. Respondent understands that this Consent Agreement for Voluntary
23 Surrender does not constitute a dismissal or resolution of other matters currently pending
24 before the Board if any, and does not constitute any waiver, express or implied of the
25 Board's statutory authority or jurisdiction regarding any other pending or future
26 investigation, action or proceeding. Respondent also understands that acceptance of this

1 Consent Agreement for Voluntary Surrender does not preclude any other agency,
2 subdivision or officer of this state from instituting other civil or criminal proceeding with
3 respect to the conduct that is the subject of this Consent Agreement for Voluntary
4 Surrender.

5 8. Respondent understands that foregoing Consent Agreement for Voluntary
6 Surrender shall not become effective unless and until adopted by the Board of Appraisal
7 and executed on behalf of the Board. Any modification to this original document is
8 ineffective and void unless mutually approved by the parties in writing.

9 9. Respondent understands that this Consent Agreement for Voluntary
10 Surrender is a public record that may be publicly disseminated as a formal action of the
11 Board.

12 DATED this ^{11 20} ~~8~~ day of JULY, 2011.

13
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15 
16 Luis F. Llanos
17 Respondent

18 
19 Dan Pietropaulo
20 Executive Director
21 Arizona Board of Appraisal

22 **ORIGINAL** of the foregoing filed
23 this 20 day of July, 2011 with:

24 Arizona Board of Appraisal
25 1400 W. Washington Street, Suite 360
26 Phoenix, AZ 85007

27 **COPY** of the foregoing mailed regular
28 this 20 day of July, 2011 to:

29 Mr. Luis F. Llanos
30 P.O. Box 1083
31 Dewey, AZ 86327

32 **COPY** of the foregoing sent or delivered
33 this 20 day of July, 2011 to: