

1  
2  
3  
4  
5  
6

**BEFORE THE ARIZONA STATE BOARD OF APPRAISAL**

In the Matter of :

Case No. 2378

**MICHAEL SANTANA**  
Licensed Residential Appraiser  
License No. 11650

**BOARD ORDER**

7 On September 18, 2008, the Arizona Board of Appraisal ("Board") discussed Case  
8 No. 2378 regarding Michael Santana ("Respondent") and his completion of the  
9 educational requirements and the Board's audit of three of Respondent's appraisal files as  
10 set forth in the Consent Agreement and Order of Discipline dated December 18, 2007.

11 Respondent was present and appeared on his own behalf. After reviewing the information  
12 presented and discussing the issues with Respondent, the Board voted to terminate  
13 Respondent's mentorship, continue with his probation, requested two additional  
14 appraisals for review and ordered Respondent to successfully complete a minimum of  
15 seven (7) hours of Cost Approach.  
16

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.

24 2. Respondent is a Licensed Residential Appraiser in the State of Arizona,  
25 holder of License No. 11650, issued on November 8, 2006, pursuant to A.R.S. § 32-3612.  
26

✓

1 **FINDINGS OF FACT**

2 1. On December 18, 2007, the Board and Respondent entered into a Consent  
3 Agreement and Order of Discipline in settlement of Respondent's appraisal of property  
4 located at 43888 West McClelland Dr., Maricopa, AZ with an effective date of February  
5 1, 2007.  
6

7 2. As part of that Consent Agreement, Respondent's license was placed on  
8 probation "for a minimum period of twelve (12) months." During the first six (6) months  
9 of the probationary period, Respondent was to complete twenty-four (24) appraisal  
10 reports under the supervision of a Mentor and record those appraisals on a monthly log  
11 submitted to the Board. In addition, Respondent was required to complete various  
12 remedial education courses.  
13

14 3. At the end of the first six (6) months of the probationary period,  
15 Respondent submitted evidence that he completed the required remedial education and  
16 written appraisals. Pursuant to the Board's request, three of his appraisal reports were  
17 randomly selected for audit by the Board.  
18

19 4. After reviewing Respondent's three appraisal reports, the Board found that  
20 Respondent failed to demonstrate improvement in the methodology and technique  
21 necessary for the development of his opinion of cite value.  
22

23 **CONCLUSIONS OF LAW**

24 Pursuant to A.R.S. § 32-3635, a certified or licensed appraiser in the State or  
25 Arizona must comply with the standards of practice adopted by the Board. The  
26

1 Standards of Practice adopted by the Board are codified in the USPAP edition applicable  
2 at the time of the appraisal.

3  
4 **ORDER**

5 Based upon the foregoing Findings of Fact and Conclusions of Law,

6 IT IS THEREFORE ORDERED:

7 1. Respondent's period of probation continues at least until December 18,  
8 2008 as set forth in the Consent Agreement and Order of Discipline dated December  
9 18, 2007.

10 2. As of the date of this Order, Respondent's requirement of a mentorship  
11 is terminated.

12 3. Before the termination of Respondent's probation, Respondent must  
13 complete and submit for the Board's review and audit two (2) additional appraisal  
14 reports.

15 4. Prior to the termination of Respondent's probation, Respondent must  
16 successfully complete a minimum of a seven (7) hours remedial education in the area  
17 of Cost Approach. This education **may not** be counted toward the continuing  
18 education requirements for the renewal of Respondent's certificate.

19 5. All other terms and conditions of the December 18, 2007 Consent  
20 Agreement and Order that do not conflict with this Order remain the same and are in  
21 full force and effect.

22 DATED this 14<sup>TH</sup> day of October, 2008.

23  
24 

25 Deborah G. Pearson  
26 Arizona Board of Appraisal

1 ORIGINAL of the foregoing filed  
this 14<sup>th</sup> day of October, 2008 with:

2 Arizona Board of Appraisal  
3 1400 W. Washington Street, Suite 360  
Phoenix, AZ 85007

4 COPY of the foregoing mailed regular and U.S.  
5 Certified Mail # 7007 2560 0001 3358 8324  
this 14<sup>th</sup> day of October, 2008 to:

6 Michael Santana  
7 3743 S. Martingale Road  
Gilbert, AZ 85297

8 COPY of the foregoing sent or delivered  
9 this 14<sup>th</sup> day of October, 2008, to:

10 Jeanne M. Galvin  
Assistant Attorney General CIV/LES  
11 1275 W. Washington St.  
Phoenix, AZ 85007

12  
13 By: Andrew G. Pearson  
14

15 PHX-#303413

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26