

**BEFORE THE ARKANSAS APPRAISER LICENSING AND
CERTIFICATION BOARD**

IN THE MATTER OF:

Adam Guthrie, Jr.

Case 09-0615

CONSENT AGREEMENT

WHEREAS, the Respondent, Adam Guthrie, Jr., has completed an appraisal of the property with the following address:

1430 W. First Street North, Prescott, AR 71857

WHEREAS, subsequent to the Appraiser Licensing Board receiving a copy of the Report filed for consideration by the Board; and

WHEREAS, subsequent to jurisdiction being established a preliminary investigation and a review by a Probable Cause Panel, the case was referred to a Non-Judicial Hearing Panel (Informal Conference). The Non-Judicial Hearing was held on January 14, 2010, at which time the panel concluded the report contains errors that led to a report that is not USPAP and/or State Law compliant.

WHEREAS, the Respondent has opted not to contest these findings of the Non-Judicial Panel before a formal Board hearing and herein consents to accept the following disciplinary actions as a basis for resolution of this complaint.

THEREFORE, the Respondent willingly agrees and stipulates to the following sanctions:

- (1) The Respondent understands that signing this agreement, including all established deadlines, constitutes a binding contract with the Arkansas**

Appraiser Licensing and Certification Board, and non-compliance with any element of this Agreement will result in a Hearing before the Full Board.

- (2) The Respondent's Certificate will be placed on probation for a period of six (6) months beginning February 1, 2010, during which the Respondent will:
 - a. Submit a monthly log of appraisals he has signed or cosigned or which he has been listed as participating in the preparation,**
 - b. Log to be received by the Board before the 10th day of the following month, from which appraisals that will be randomly selected for review to monitor the improvement of work products. The first of the six logs will be received at the Board office no later than March 10, 2010, etc.**
 - c. The Respondent will send a "true" copy of the chosen report(s) along with a copy of the clients appraisal request,**
 - d. To be received by the Board with-in 10-days of their selection.**
 - e. If requested the Respondent will respond to any questions or inquiries regarding these reports with-in 10 days of receipt of such questions.****
- (3) The Respondent is to complete a 15 hr. tested USPAP and a 15 hr. tested General Sales Comparison Approach course.**
- (4) If both courses are not completed within the six (6) month probationary period a fine of \$500, per course, will be assessed and the courses must still be completed. If not, during the following six (6) months the courses must be completed.**
- (5) The monitoring of the work products will be extended until all elements of the agreement are satisfied.**

FURTHERMORE, Respondent understands that this Consent Agreement is not effective until its acceptance by the Board. Respondent consents to the ex parte presentation of the Consent Agreement to the Board. Should this Consent Agreement not be approved by the Board, Respondent agrees that the presentation and consideration of this Consent Agreement by the board shall not constitute a basis for disqualification of the Board or any of its members who participated in the preliminary panels or hearings from further participation in this matter, including a formal hearing

FURTHERMORE, the Respondent has opted not to contest these specific findings before a formal Board hearing, thereby consenting to accept the outlined disciplinary action as a basis for resolution of this complaint.

The Respondent further agrees that the Board shall retain jurisdiction to enforce the provisions of this Consent Agreement. Failure to comply with the terms and conditions of this agreement shall be grounds for further disciplinary actions in the form of a civil penalty and/or suspension or revocation of Respondent's license.

FURTHERMORE, this agreement must be signed and returned to the Board office or rejected in writing before January 25, 2010.

EXECUTED this ___ day of _____

Respondent's Signature

APPROVED BY:

Dwight Brown, Board Chair
AR Appraiser Licensing and Certification Board
101 East Capitol, Ste 430
Little Rock, AR 72201