

BEFORE THE WEST VIRGINIA REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD

RECEIVED

OCT 16 2002

IN THE MATTER OF DEBRA L. CALE
Apprentice Permit No. 10326

CONSENT DECREE

THIS CONSENT DECREE is made and entered into this 9 day of October, 2002 by and between the West Virginia Real Estate Appraiser Licensing and Certification Board ("Board"), and Debra L. Cale ("Apprentice").

WHEREAS, the Board is a state entity created pursuant to W.Va. Code § 30-38-1 *et seq.*, and is empowered to regulate the practice and profession of real estate appraising within the State of West Virginia, including but not limited to the licensing and disciplining of appraisers.

WHEREAS the Apprentice currently holds an apprentice permit, Apprentice Permit No. 10326, issued by the Board.

WHEREAS the Apprentice has been acting as a real estate appraiser apprentice under the supervision of Lawanta B. Vecchio, who holds a state license as a licensed residential real estate appraiser, License No. 0691, issued by the Board.

WHEREAS the Board has had under review one (1) complaint against the Apprentice in connection with the Apprentice's conduct, practices and acts as a real estate appraiser apprentice: Complaint No. 02-018A.

WHEREAS in connection with Complaint No. 02-018A relating to the inspection and supervision of apprentice appraisals the Board has probable cause to believe that the Apprentice may have engaged in conduct, practices or acts constituting professional negligence or a willful departure

from accepted standards of professional conduct or a deviation from generally accepted standards of professional appraisal practices as evidenced by the Uniform Standards of Professional Appraisal Practices [2001 and 2002 Editions] in violation of W.Va. Code § 30-1-8(a), W.Va. Code § 30-38-12(a)(3) & (7), W.Va. Code § 30-38-17 and 190 C.S.R. 2-12.4.a [Effective Date May 27, 1997].

WHEREAS the Board is authorized to suspend, revoke or otherwise discipline its licensees pursuant to W.Va. Code § 30-1-8 and W.Va. Code 30-38-13.

WHEREFORE good and valuable consideration the parties agree each with the other as follows:

1. In connection with Complaint No. 02-018A the Apprentice admits that her conduct, practices and acts as a real estate appraiser apprentice constituted professional negligence or a willful departure from accepted standards of professional conduct or a deviation from generally accepted standards of professional appraisal practices as evidenced by the Uniform Standards of Professional Appraisal Practices [2001 and 2002 Editions] in violation of W.Va. Code § 30-1-8(a), W.Va. Code § 30-38-12(a)(3) & (7), W.Va. Code § 30-38-17 and 190 C.S.R. 2-12.4.a [Effective Date May 27, 1997].

2. The Apprentice hereby agrees that all of her credit for experience hours received under the supervision of Lawanta B. Vecchio are disqualified for consideration for licensure by the Board: Provided, that the Apprentice's agreement to the terms and conditions set forth herein shall not disqualify the Apprentice from securing the requisite experience hour credits for licensure under the supervision of another qualified supervisor.

3. It is agreed and understood that the contents of this Consent Decree are and shall be public information.

4. It is further agreed and understood that while the parties to this Consent Decree presently intend to cooperate in obtaining compliance with the terms and conditions set forth herein, the matters settled by the execution of this Consent Decree may be reopened at any time by the Board for further proceedings in the public interest upon determination by the Board that reasonable cause exists to believe that the Apprentice has failed to comply or otherwise violated the terms of this Consent Decree.

5. This Consent Decree shall be interpreted in accordance with the laws of the State of West Virginia, and venue of any lawsuit filed by any party arising in whole or in part out of this Consent Decree shall be in the Circuit Court of Kanawha County, West Virginia, and further that in the event any part of this Consent Decree is invalidated by order of a court of competent jurisdiction or by legislative action, the remainder of this Consent Decree shall remain in binding effect.

6. This Consent Decree constitutes the entire agreement between the parties.

IN WITNESS WHEREOF the parties hereto have caused this Consent Decree to be duly executed the day and year first above written.

**WEST VIRGINIA REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD**

By: 

Its: Chairman


DEBRA L. CALE