

**BEFORE THE
DIRECTOR OF THE BUREAU OF REAL ESTATE APPRAISERS
BUREAU OF REAL ESTATE APPRAISERS
STATE OF CALIFORNIA**

In the Matter of the
Real Estate Appraiser License of:

Case No. C20150112-03

Steven Sullivan,

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Director of the Bureau of Real Estate Appraisers, as its Decision in this matter.

This Decision shall become effective on 6-18-15.

It is so ORDERED 6-18-15.

Original Signed

JAMES MARTIN, BUREAU CHIEF,
BUREAU OF REAL ESTATE APPRAISERS
DEPARTMENT OF CONSUMER AFFAIRS

1 Bureau of Real Estate Appraisers
1102 Q Street, Suite 4100
2 Sacramento, CA 95811

3 Telephone: (916) 552-9742
4 Facsimile: (916) 440-7406

5 **BEFORE THE**
CHIEF OF THE BUREAU OF REAL ESTATE APPRAISERS
6 **STATE OF CALIFORNIA**

7 In the Matter of the Administrative Allegation of
Violation Against:

Case No. C20150112-03

8 **Steven P. Sullivan**
9 **Real Estate Appraiser License No. 004709**

STIPULATED SURRENDER OF
LICENSE AND ORDER

10 Respondent.

11
12 In the interest of a prompt and speedy settlement of this matter, consistent with the public
13 interest and mission of the Bureau of Real Estate Appraisers ("Bureau" or "BREA"), the parties
14 hereby agree to the following Stipulated Surrender of License and Order ("Stipulated Surrender")
15 which will be submitted to the Chief of the Bureau of Real Estate Appraisers ("Bureau Chief" or
16 "Chief of BREA") for approval and adoption as the final disposition of this proceeding:

17 PARTIES

18 1. Elizabeth Seaters, acting on behalf of the Bureau of Real Estate Appraisers
19 ("Complainant"), brings this action solely in her official capacity as Chief of Enforcement for
20 Complainant.

21 2. Steven P. Sullivan ("Respondent") is representing himself and has chosen not to
22 exercise his right to be represented by counsel.

23 3. On or about January 6, 1993, the Bureau issued Real Estate Appraiser License No.
24 004709 to Respondent. Respondent's License was suspended during the times relevant to the
25 attached administrative allegation of violation. Respondent's license is still suspended.

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JURISDICTION

4. The Bureau initiated an investigation resulting in the administrative allegation of violation associated with Case No. C20150112-03.

5. When deemed by the Bureau Chief to be in the public interest, the Bureau Chief has the authority under Business and Professions Code section 11315.5 to enter into a settlement related to administrative allegation of violation of the Real Estate Appraisers' Licensing and Certification Law or regulations promulgated pursuant thereto, upon any terms and conditions as the Bureau Chief deems appropriate.

6. The administrative allegation of violation associated with the Complainant's Case No. C20150112-03 against Respondent is attached as Exhibit "A" and incorporated herein by reference.

ADVISEMENT AND WAIVERS

7. Respondent has carefully read and understands the charges and allegations in the administrative allegation of violation associated with Case No. C20150112-03. Respondent has also carefully read and understands the effects of this Stipulated Surrender.

8. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the administrative allegation of violation developed in the Bureau of Real Estate Appraisers Case No. C20150112-03; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 10. Respondent admits the truth of each and every administrative allegation of violation
3 attached as Exhibit "A", and agrees that cause exists for discipline against his Real Estate
4 Appraiser License No. 004709.

5 11. Respondent agrees that his Real Estate Appraiser License No. 004709 is subject to
6 discipline and he agrees to be bound by the Bureau Chief's imposition of discipline as set forth in
7 the following Disciplinary Order.

8 CONTINGENCY

9 12. This Stipulated Surrender shall be subject to approval by the Bureau Chief.
10 Respondent understands and agrees that counsel for Complainant and Complainant's staff may
11 communicate directly with the Bureau Chief regarding this Stipulated Surrender, without notice
12 to or participation by Respondent or his counsel. By signing this Stipulated Surrender,
13 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind
14 this Stipulated Surrender prior to the time the Bureau Chief considers and acts upon it. If the
15 Bureau Chief fails to adopt this Stipulated Surrender, the Stipulated Surrender shall be of no force
16 or effect, and, except for this paragraph, it shall be inadmissible in any legal action between the
17 parties, and the Bureau Chief shall not be disqualified from further action by having considered
18 this matter.

19 13. The parties understand and agree that Portable Document Format ("PDF") or
20 facsimile copies of this Stipulated Surrender, including PDF or facsimile signatures thereto, shall
21 have the same force and effect as the originals.

22 14. This Stipulated Surrender is intended by the parties to be an integrated writing
23 representing the complete, final, and exclusive embodiment of their agreement. It supersedes any
24 and all prior or contemporaneous agreements, understandings, discussions, negotiations, and
25 commitments (written or oral). This Stipulated Surrender may not be altered, amended, modified,
26 supplemented, or otherwise changed except by a writing executed by an authorized representative
27 of each of the parties.
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Elizabeth

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15. In consideration of the foregoing admissions and stipulations, the parties agree that the Bureau Chief may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent's Real Estate Appraisers License No. 004709 is surrendered and accepted by the Chief of the Bureau of Real Estate Appraisers.

- 1. Respondent shall lose all rights and privileges as a real estate appraiser in California as of the effective date of the Chief's Decision and Order.
- 2. Respondent shall cause his license certificate to be delivered to the Bureau of Real Estate Appraisers on or before the effective date of the Chief's Decision and Order.
- 3. Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the BREAA.
- 4. Respondent may petition for reinstatement of his license no sooner than one year from the effective date of the Decision. If Respondent petitions for reinstatement, the Chief shall treat it as a new application for licensure and Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the petition is filed.
- 5. Respondent shall pay the Bureau of Real Estate Appraisers a fine in the amount of \$10,000.00. Such fine and costs shall be due and payable upon Respondent's petition for reinstatement.

ACCEPTANCE

I have carefully read the above Stipulated Surrender. I understand the stipulation and the effect it will have on my Real Estate Appraiser License. I enter into this Stipulated Surrender voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Bureau Chief.

DATED: 6-7-15

Original Signed

Steven P. Sullivan
Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender is hereby respectfully submitted for the Bureau Chief's consideration.

Original Signed

Dated: 06/18/2015

Elizabeth Seaters
Chief of Enforcement

Exhibit A

Administrative Allegation of Violation - Case No. C20150112-03

Cause of Action One

On or about May 10, 2014, Respondent completed a real estate appraisal report for the property located at 28053 Smythe Drive (Unit B-1), Valencia (City of Santa Clarita), California. The Respondent's actions and report contained errors or omissions in violation of the Uniform Standards of Professional Appraisal Practice (USPAP), California Business and Professions Code Division 4, Part 3, Sections 11300 *et seq.* (B&P), and California Code of Regulations Title 10, Chapter 6.5, Sections 3500 *et seq.* (CC&R), listed as follows:

- a) Respondent knowingly engaged in a federally related real estate appraisal activity and prepared an appraisal report where he used the title, designation or abbreviation giving the impression that he was a State licensed real estate appraiser, when his State appraiser's license was suspended (B &P Section 11320 and 11321 (a)(b) and (d), and USPAP Conduct section of the Ethics Rule and S.R. 2-1(a)); and
- b) Respondent failed to demonstrate the special qualifications of an appraiser including honesty, candor, integrity and trustworthiness by committing an act involving dishonesty, fraud or deceit with the intent to benefit himself or another, or to injure another, by giving the impression to his client that he was a State licensed real estate appraiser when his license was suspended (CC&R Section 3702 (a)(1) and (3), and 3721 (a)(2)).

Cause of Action Two

On or about April 21, 2014, Respondent completed a real estate appraisal report for the property located at 44274 George Cushman Court, Temecula, California. The Respondent's actions and report contained errors or omissions in violation of the Uniform Standards of Professional Appraisal Practice (USPAP), California Business and Professions Code Division 4, Part 3, Sections 11300 *et seq.* (B&P), and California Code of Regulations Title 10, Chapter 6.5, Sections 3500 *et seq.* (CC&R), listed as follows:

- a) Respondent knowingly engaged in a federally related real estate appraisal activity and prepared an appraisal report where he used the title, designation or abbreviation giving the impression that he was a State licensed real estate appraiser, when his State appraiser's license was suspended (B &P Section 11320 and 11321 (a)(b) and (d), and USPAP Conduct section of the Ethics Rule and S.R. 2-1(a)); and
- b) Respondent failed to demonstrate the special qualifications of an appraiser including honesty, candor, integrity and trustworthiness by committing an act involving dishonesty, fraud or deceit with the intent to benefit himself or another, or to injure another, by giving the impression to his client that he was a State licensed real estate appraiser when his license was suspended (CC&R Section 3702 (a)(1) and (3), and 3721 (a)(2)).

Cause of Action Three

On or about February 28, 2011, Respondent completed a real estate appraisal report for the property located at 3195 Walnut Avenue, Long Beach, California. The Respondent's actions and report contained errors or omissions in violation of the Uniform Standards of Professional Appraisal Practice (USPAP), California Business and Professions Code Division 4, Part 3,

1 Sections 11300 *et seq.* (B&P), and California Code of Regulations Title 10, Chapter 6.5, Sections
2 3500 *et seq.* (CC&R), listed as follows:

- 3 a) Respondent knowingly engaged in a federally related real estate appraisal activity and
4 prepared an appraisal report where he used the title, designation or abbreviation giving the
5 impression that he was a State licensed real estate appraiser, when his State appraiser's
6 license was suspended (B &P Section 11320 and 11321 (a)(b) and (d), and USPAP
7 Conduct section of the Ethics Rule and S.R. 2-1(a)); and
- 8 b) Respondent failed to demonstrate the special qualifications of an appraiser including
9 honesty, candor, integrity and trustworthiness by committing an act involving dishonesty,
10 fraud or deceit with the intent to benefit himself or another, or to injure another, by giving
11 the impression to his client that he was a State licensed real estate appraiser when his
12 license was suspended (CC&R Section 3702 (a)(1) and (3), and 3721 (a)(2)).

9 Cause of Action Four

10 On or about September 30, 2014, Respondent completed a real estate appraisal report for the
11 property located at 1402 Santa Monica Boulevard, Santa Monica, California. The Respondent's
12 actions and report contained errors or omissions in violation of the Uniform Standards of
13 Professional Appraisal Practice (USPAP), California Business and Professions Code Division 4,
14 Part 3, Sections 11300 *et seq.* (B&P), and California Code of Regulations Title 10, Chapter 6.5,
15 Sections 3500 *et seq.* (CC&R), listed as follows:

- 16 a) Respondent knowingly engaged in a federally related real estate appraisal activity and
17 prepared an appraisal report where he used the title, designation or abbreviation giving the
18 impression that he was a State licensed real estate appraiser, when his State appraiser's
19 license was suspended (B &P Section 11320 and 11321 (a)(b) and (d), and USPAP
20 Conduct section of the Ethics Rule and S.R. 2-1(a)); and
- 21 b) Respondent failed to demonstrate the special qualifications of an appraiser including
22 honesty, candor, integrity and trustworthiness by committing an act involving dishonesty,
23 fraud or deceit with the intent to benefit himself or another, or to injure another, by giving
24 the impression to his client that he was a State licensed real estate appraiser when his
25 license was suspended (CC&R Section 3702 (a)(1) and (3), and 3721 (a)(2)).
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