

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

Case No. C 20140318-01

In the Matter of the of the  
Real Estate Appraiser License of:

Robin L. Mosley,

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 6-6-14.

It is so ORDERED 5-7-14.

**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  
Telephone: (916) 552-9000  
3

4 **BUREAU OF REAL ESTATE APPRAISERS**  
5 **STATE OF CALIFORNIA**

6 In the Matter of the Administrative Findings  
7 Against:

Case No. C20140318-01

8 **ROBIN L. MOSLEY**  
38148 Pine Creek Place  
9 Murrieta, CA 92561

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

10 **Appraiser License No. 021004**

11 Respondent

12 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
13 proceeding that the following matters are true:

14 PARTIES

15 1. Elizabeth Seaters (Complainant), acting on behalf of the Bureau of Real Estate  
16 Appraisers (BREA), brings this action solely in her official capacity as the Chief of Enforcement  
17 of BREA.

18 2. Robin L. Mosley (Respondent) is representing herself in this proceeding and has  
19 chosen not to exercise her right to be represented by counsel.

20 3. On August 30, 1993 the Chief of BREA issued Appraiser License No. 021004 to  
21 Respondent Robin L. Mosley. The license was in full force and effect until its expiration on  
22 February 4, 2014.

23 JURISDICTION

24 4. The pending Administrative Findings of Case No. C20140318-01 and all other  
25 statutorily required documents are attached as exhibit A and incorporated herein by reference.

26 5. Business and Professions Code section 11315.3 provides that the suspension or  
27 expiration of a license shall not deprive BREA of its authority to institute or continue disciplinary  
28 action against the licensee.



CONTINGENCY

1  
2           13. This stipulation shall be subject to approval by the Chief of the Bureau of Real Estate  
3 Appraisers, or designee. Respondent understands and agrees that Complainant and the staff of  
4 the Bureau of Real Estate Appraisers may communicate directly with the Chief and staff of the  
5 Bureau of Real Estate Appraisers regarding this stipulation and surrender of license, without  
6 notice to, or participation by, Respondent. By signing the stipulation, Respondent understands  
7 and agrees that she may not withdraw this agreement or seek to rescind the stipulation prior to the  
8 time the Chief considers and acts upon it. If the Chief fails to adopt this stipulation as the  
9 Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or  
10 effect, except for this paragraph, it shall be inadmissible in any legal action between the parties,  
11 and the Chief shall not be disqualified from further action by having considered this matter.

12           14. The parties understand and agree that the facsimile copies of this Stipulated  
13 Surrender of License and Order, including facsimile signatures thereto, shall have the same force  
14 and effect as the originals.

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

ORDER

17  
18           IT IS HEREBY ORDERED that Appraiser License No. 021004 issued to Respondent  
19 **Robin L. Mosley**, is surrendered and accepted by the Chief of the Bureau of Real Estate  
20 Appraisers.

21           16. The surrender of Respondent's license and the acceptance of the surrendered license  
22 by the Chief shall constitute the imposition of the discipline against Respondent. The stipulation  
23 constitutes a record of the discipline and shall become a part of the Respondent's license history  
24 with the Chief.

25           17. Respondent shall lose all rights and privileges as a real estate appraiser in California  
26 as of the effective date of the Chief's Decision and Order.

27           18. Respondent shall cause her license certificate to be delivered to the Bureau of Real  
28 Estate Appraisers on or before the effective date of the Chief's Decision and Order.



ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Chief of the Bureau of Real Estate Appraisers.

DATED: 5/5/14

**Original Signed**  
\_\_\_\_\_  
ELIZABETH SEATERS  
Chief of Enforcement  
Bureau of Real Estate Appraisers  
State of California

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## ADMINISTRATIVE FINDINGS

**Robin L. Mosley – Lic. # 021004**

The Bureau of Real Estate Appraisers (BREA) has received evidence which indicates that the above named licensee may have committed the following specific acts or omissions. Such acts or omissions separately and severally may constitute violations of Title 10, California Code of Regulations, Section 3721, and violations of previously existing settlement agreements, as set forth below. Further, such acts or omissions provide cause for disciplinary action against her license.

On or about March 1, 2013, BREA and Respondent entered into a Stipulated Settlement and Disciplinary Order (Settlement), Case Nos. C110909-08; C111118-03; C111118-05; and C120508-05, in which Respondent's license was revoked. However, the revocation was stayed and Respondent's license was placed on probation for two years with certain terms and conditions. The Settlement was adopted by the Chief of BREA in a Decision and Order effective March 1, 2013. A copy of the Settlement is attached as Exhibit B and is incorporated by reference herein. A copy of the Decision and Order is attached as Exhibit C and is incorporated by reference herein.

The Settlement includes Terms and Conditions as follows:

3. **Obey All Laws.** Respondent shall comply with all federal, state and local laws, and conform to the minimum guidelines set forth under the Uniform Standards of Professional Appraisal Practice (USPAP), and all other laws and regulations pertaining to real estate appraisers.
4. **Active License Status.** Respondent shall at all times maintain an active license status with Complainant during the probationary period.
10. **Payment of Outstanding Fine.** Respondent further acknowledges and agrees to pay a fine pursuant to Business and Professions Code section 11316(a) and California Code of Regulations, Title 10, section 3721(a), in the sum of Five Thousand Dollars (\$5,000). Payment of this fine shall be made within One (1) year of the effective date of the Decision and Order of the Director of the Office of Real Estate Appraisers.<sup>1</sup>
13. **Residential Sales Comparison and Income Approaches Module/Examination.** Respondent shall take and pass an Office of Real Estate Appraisers approved 30 hour basic education module on Residential Sales Comparison and Income Approaches. The courses may be taken on-line or in a classroom setting and must include an administered closed book final

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<sup>1</sup> Prior to July 1, 2013, the "Chief" was known as the "Director" and the "Bureau of Real Estate Appraisers" was known as the "Office of Real Estate Appraisers."

examination. Respondent must submit proof of successful completion of the courses and final examination within twelve (12) months of the effective date of the Decision and Order as signed by the Director. Respondent understands that it is her responsibility to ensure that the course meets all the requirements listed above and to apply for, schedule and make all arrangements to take the courses.

**17. Violation of Probation.** If Respondent violates probation in any respect, the Director, after giving Respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or a petition to revoke probation is filed against Respondent during probation, the Director shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

THEREFORE, in consideration of the foregoing, including the Settlement, and the acts or omissions as provided below, cause exists for discipline.

#### **COUNT ONE**

##### **Violation of Settlement: Failure to Maintain Active License**

Respondent's probation is subject to revocation pursuant to provision 4 ("Active License Status") of the Terms and Conditions of the Settlement. Specifically, Respondent was required to maintain an active license with the Bureau. However, Respondent's license expired February 4, 2014 and has not been reinstated.

#### **COUNT TWO**

##### **Violation of Settlement: Failure to Pay Fine**

Respondent's probation is subject to revocation pursuant to provision 10 ("Payment of Outstanding Fine") of the Terms and Conditions of the Settlement. Specifically, Respondent was required to pay a fine of \$5,000 before March 1, 2014. However, the outstanding balance of said fine remains \$5,000.

#### **COUNT THREE**

##### **Violation of Settlement: Failure to Complete Required Education**

Respondent's probation is subject to revocation pursuant to provision 13 ("Residential Sales Comparison and Income Approaches Module/Examination") of the Terms and Conditions of the Settlement. Specifically, Respondent was required to complete specified education before March 1, 2014. Such requirement remains unfulfilled.

## **COUNT FOUR**

### **Violation of Settlement: Failure to Comply with Probation**

Respondent's probation is subject to revocation because, in violation of provision 17 ("Violation of Probation") of the Terms and Conditions of the Settlement, Respondent failed to comply with provisions 3, 4, 10, and 13 of her probation. Specifically, as set forth in Counts One, Two, Three, and Five, Respondent is not in compliance with her probation.

## **COUNT FIVE**

### **Violation of Settlement: Failure to Conform to USPAP**

#### **Violation of Title 10, California Code of Regulations, Section 3721: Failure to Conform to USPAP**

On or about May 3, 2013, Respondent completed a real estate appraisal report for the property located 29536 Pebble Beach Drive, Murrieta, California. The report contained errors or omissions, in violation of the provisions of the Uniform Standards of Professional Appraisal Practice (USPAP), listed as follows:

- a) Respondent failed to disclose and analyze the subject's arterial location and proximity to an airport (S.R. 1-2(e)(i) and 2-2(b)(iii));
- b) Respondent falsely stated dated rental data as current in order to estimate the market the rent for the subject property (S.R. 1-4(c)(i)(iii)(iv) and 2-2(b)(viii));
- c) Based upon the findings noted in above items a and b, Respondent failed to correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal (S.R. 1-1(a));
- d) Based upon the findings noted in above items a and b, Respondent committed substantial errors of omission or commission that significantly affected the appraisal (S.R. 1-1(b));
- e) Based on the findings noted in above items a and b, Respondent failed to clearly and accurately set forth the appraisal in a manner that would not be misleading (S.R. 2-1(a));
- f) Based on the findings noted in above items a and b, Respondent failed to provide sufficient information to enable the intended users of the report to understand it properly (S.R. 2-1(b)); and
- g) Based on the findings noted in above items a and b, in addition to an appraisal that was not credible, Respondent violated the Conduct section of the Ethics Rule.