

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

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

**Complainant,**

**COMPLAINT No.: 10-015**

**v.**

**JENNIFER COMPTON,**

**Respondent.**

**CONSENT DECREE AND ORDER**

Now comes the West Virginia Real Estate Appraiser Licensing and Certification Board (hereinafter the Board) and Jennifer Compton, (hereinafter the Respondent), for the purpose of agreeing to disciplinary action which shall be taken against the Respondent by the Board.

WHEREAS, the Board has reviewed a consumer complaint filed by Amy Light Fetner based on an appraisal performed by the Respondent in conjunction with the response filed by the Respondent.

Whereas, the parties mutually desire to settle this issue without further prosecution and a formal hearing.

It is hereby stipulated and agreed between the undersigned parties that this matter be settled and resolved, the parties have reached an understanding concerning the proper

disposition of the matter in controversy. The Board, approving such an agreement does hereby Find and Order as follows:

**FINDINGS OF FACT**

1. That the Board is the State entity created by West Virginia Code § 30-38-1 *et seq.* and is empowered to regulate the practice of real estate appraisers.

2. That the Respondent is a licensee of the Board, possessing license number CR0853 and is subject to the jurisdiction of the Board.

3. That based on its review of the consumer complaint and the Respondent's response, the Board finds that there is probable cause to believe that the Respondent may have violated certain acts of West Virginia Code § 30-38-1 *et seq.* and the Uniform Standards of Professional Appraisal Practice (USPAP) which acts, if proven to be true, would constitute professional negligence or a willful departure from standards of accepted of professional conduct, which would be grounds for disciplinary action.

4. The Respondent desires to surrender her license in response to this complaint.

**CONCLUSION OF LAW**

1. That the Board has jurisdiction to take disciplinary action against the Respondent.

2. That pursuant to West Virginia Code § 30-38-1 *et seq.*, the Board may revoke a license, suspend a license, or take other disciplinary action for violation of the rules and regulations of the Board.

3. The Respondent is a licensee of the Board and is subject to jurisdiction of the Board.

4. The parties mutually agree to resolve this pending matter without further prosecution.

#### CONSENT OF LICENSEE

The Respondent by affixing her signature hereto, acknowledges the following:

1. That she has the following rights, among others: the right to a formal hearing before the West Virginia Real Estate Appraiser Licensing and Certification Board; the right to reasonable notice of said hearing; the right to be represented by counsel at her own expense; and the right to cross examine witnesses against her.

2. That she waives all rights to such a hearing.

3. That she has had the opportunity to consult with counsel and executes this Consent Decree and Order voluntarily, freely, without coercion or duress and is mindful that it has legal consequences.

4. That no person or entity has made any promise or given any inducement whatsoever to encourage her to enter into this Decree other than as set forth herein.

5. That she acknowledges that she is aware that she may pursue this matter through appropriate administrative and/or court proceedings, and she is aware of her legal rights regarding this matter, but intelligently, knowingly and voluntarily waives such rights.

6. That she waives any defenses including, but not limited to, laches, statute of limitations, and estoppel, that she may have otherwise claimed as a condition of this Decree.

7. That she acknowledges that the Board will retain jurisdiction over this matter until all terms and conditions set forth in this Consent Decree have been met to the satisfaction of the Board.

8. That she acknowledges that she is aware that this Consent Decree and Order is a public document, available for inspection at any time by any member of the public under Chapter 29B *et seq.*, of the West Virginia Code, Freedom of Information Act and may be reported to other governmental, professional Boards or organizations.

9. That she acknowledges that this Consent Decree and Order shall be presented to the Board as soon as practical but no later than its next scheduled meeting of the Board, with a recommendation for approval from the Standards Committee.

10. The Respondent, by affixing her signature hereon, consents and agrees to the following terms and conditions.

### ACCEPTANCE BY THE BOARD

This Consent Decree and Order will not be submitted for Board consideration until after it has been agreed to and executed by the Respondent. The Consent Decree shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

### ORDER

That the Board agrees to forego further prosecution of the complaint pursuant to the Consent Decree between the Board and Respondent, and hereby ORDERS as follows:

1. The Board shall accept the surrender of the license of the Respondent to practice or engage in the profession of real estate appraisal in the State of West Virginia.
2. The Respondent's license to practice real estate appraisal in the State of West Virginia is hereby **NULL** and **VOID**.
3. The Respondent shall not practice or engage in the profession of real estate appraisal in the State of West Virginia.
4. That should the Respondent desire to practice real estate appraisal in the State of West Virginia then she shall submit an application for licensure and comply with all the licensure requirements of West Virginia Code § 30-38-1 *et seq.* and/or the legislative rules promulgated thereunder.
5. Further, in the event that the Respondent applies for licensure, the Board reserves the right to review, consider and use any and all materials relating to her fitness

for practice, including, but not limited to, all documents, statements and complaints currently contained within the Board's file on the Respondent. The Board specifically reserves the right to consider the facts, statements and allegations relating to the above-styled complaint number, including the entry of this consent decree, in any future determination of the Respondent's fitness for practice.

6. That the Respondent shall reimburse the Board the sum of Five Hundred Dollars (\$500.00) for the costs incurred by the Board associated with the investigation and prosecution of this matter. Such payment shall be paid to the Board in a minimum installments of Fifty Dollars (\$50.00) per month commencing January 1, 2013 and continuing each and every month thereafter until the amount is paid in full within.

7. Should the Respondent fail to comply with any part of the Consent Decree and Order, the Board may reinstate its Statement of Charges against the Respondent.

Entered this 30 day of Sept 2012.



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R. SCOTT BARBER, CHAIR  
WEST VIRGINIA REAL ESTATE APPRAISER  
LICENSING AND CERTIFICATION BOARD

Reviewed and Approved by:



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JENNIFER COMPTON

Date

Respondent