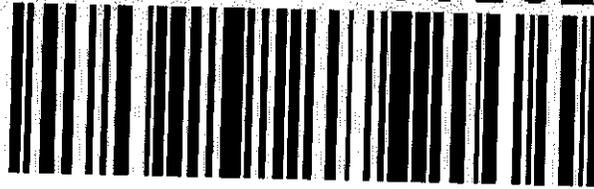


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ORIGINAL

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FILED
BOARD OF
REAL ESTATE APPRAISERS
James Hsu 5/1/01
DR. JAMES S. HSU
Executive Director

By: Susan Carboni
Deputy Attorney General
(973)648-2894

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF REAL ESTATE APPRAISERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

JAMES J. CLYDE
License No. RG 1721

TO PRACTICE REAL ESTATE
APPRAISING IN THE STATE OF
NEW JERSEY

Administrative Action
CONSENT ORDER



This matter was opened to the New Jersey State Board of Real Estate Appraisers (hereinafter "the Board") upon receipt of information that respondent James Clyde did not comply with the Criminal History Background Check, mandated by N.J.S.A. 45:14F-1 et seq. for all licensed and certified real estate appraisers in the State of New Jersey. Specifically, respondent did not reply to requests that he submit informational forms and fingerprint cards which were forwarded to him by mail at his address of record. On September 22, 2000, a Final Order of Discipline was issued, imposing a \$150.00 civil penalty and suspending respondent's certification to practice real estate appraising in the State of New Jersey until he complied with the Background Check. On November 6, 2000, respondent filed a Notice of Appeal and Case Information Statement with the Appellate Division, appealing the Final Order on the basis that respondent did not receive any of the

prior correspondence sent by the Board, inasmuch as he had been sick and /or hospitalized for a substantial period of time, and had only received the Final Order imposing the civil penalty and suspension. Credible evidence having been put forward and representations having been made as to respondent's illness, which is of a serious nature, and which has hitherto prevented and still prevents respondent from complying with the fingerprinting and other requirements of the Background Check, and both parties desiring to amicably resolve this matter in a manner which substantially complies with statutory requirements and yet is nevertheless fair to respondent, and for good cause shown:

IT IS ON THIS 1st DAY OF May 2001 *sc*
2000.

HEREBY ORDERED AND AGREED THAT:

1. Respondent's certification to practice real estate appraising shall be and hereby is reinstated, effective upon the signing and filing of this Order.
2. The Provisional Order of Discipline and Final Order of Discipline shall be and hereby are rescinded, effective upon the signing and filing of this Order, with respondent's disciplinary record to be deemed free of blemish, and the aforementioned Orders to be deemed issued in error.
3. Respondent's New Jersey certification is to be considered as in inactive status, pursuant to N.J.S.A. 45:1-7.3, and respondent agrees not to practice real estate appraising in the State of New Jersey, or to teach a course in real estate appraising in the State of New Jersey, until he is able to and does comply with the provisions of N.J.S.A. 45:14F-10.2 and submits the fingerprint cards and forms required for the Criminal History Background Check. Upon respondent's submission of these fingerprint cards and filled out forms, and receipt of a separate letter from respondent addressed to the Board, informing the Board of his compliance, respondent's certification is to be immediately reinstated in active status, upon verification by the Board of the receipt of said submissions.

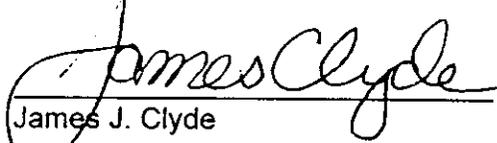
4. Upon resumption of active status, respondent is to take responsibility for contacting the Board so that a reasonable arrangement may be reached with regard to respondent's continuing education requirements, and the establishment of a time frame permitting respondent to satisfy these requirements without it constituting an undue burden in light of his health.

5. If respondent practices real estate appraising in the State of New Jersey prior to compliance with the Criminal History Background Check, respondent will be deemed to be in violation of N.J.S.A. 45:14F-21 , and will be subject to disciplinary action pursuant to N.J.S.A. 45:1-14 et seq. .

NEW JERSEY STATE BOARD OF
REAL ESTATE APPRAISERS

By: 
John Hamilton
President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


James J. Clyde

Date

Consent as to form of Order:


Stuart Lederman, Esq.

1/10/01
Date

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
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CERTIFICATION

I, Susan Carboni, of full age, certify:

1. I am a Deputy Attorney General employed in the Division of Law, Department of Law and Public Safety, and am assigned to represent the New Jersey State Board of Real Estate Appraisers in this matter.

2. In January, 2001, I received a Consent Order signed by respondent James J. Clyde and by his attorney in this matter, Stuart Lederman, Esq. I specifically remember that I saw the original signatures on this document.

3. The original signed Consent Order can no longer be located either in my files or in the files of the Board of Real Estate Appraisers.

4. Respondent's counsel, Stuart Lederman, Esq., has been asked to attempt to locate respondent and obtain another signed copy of the Order. Mr. Lederman has been unable to obtain his client's signature.

5. At this time, I have advised the Board of Real Estate Appraisers, who have agreed to the terms of the Consent Order, to have the Board President sign a photocopy of the original document, which shall then be deemed an original signed Consent Order.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.



Susan Carboni
Deputy Attorney General

Dated: *Apr. 24, 2001*