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location	Collection-455
summary	Consent Order 09/23/2003
author	Tracy Steel
expiration_date	09/23/2068
max_versions	4
title	Kirkland Rodney G 42RC00000100
document	Kirkland Rodney G 42RC00000100
keywords	
dsclass	Document
description	

**FILED**  
**BOARD OF**  
**REAL ESTATE APPRAISERS**  
*James Hsu 9/29/03*  
**DR. JAMES S. HSU**  
**Executive Director**

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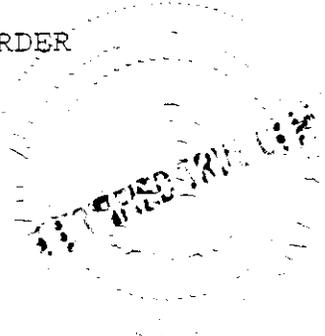
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STATE OF NEW JERSEY  
 DEPARTMENT OF LAW & PUBLIC SAFETY  
 DIVISION OF CONSUMER AFFAIRS  
 BOARD OF REAL ESTATE APPRAISERS

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IN THE MATTER OF THE :  
 CERTIFICATION OF :  
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 :  
 RODNEY G. KIRKLAND :  
 RC00001 :  
 :  
 :  
 TO ENGAGE IN 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 upon receipt of information in connection with an appraisal of residential property at 169 South 11<sup>th</sup> Street,

Newark, New Jersey dated November 30, 2000. In addition, the Board received notice from the U.S. Department of Housing and Urban Development that respondent's name was removed from the HUD Appraiser Roster for eight months, based upon, inter alia, violations of Standards Rule 2 of the Uniform Standards of Professional Appraisal Practice (the "USPAP") in connection with the appraisal of 9 Abbotsford Ave., Newark, dated March 22, 2002, which violations included inaccurate descriptions of the subject property. Respondent's removal was also based upon his failure to note repairs affecting the health and safety of the occupants, and failure to analyze a current agreement of sale.

The Board finds that in connection with the appraisal of 169 South 11<sup>th</sup> Street, Newark, respondent violated Standards Rule 1-5(a), in that he failed to indicate a prior sale of the subject property within a year, for the sum of \$54,900, although he knew or should have known of the probability that such a sale had occurred. This inadequate investigation is rendered particularly significant in that respondent appraised the subject property at \$140,000 on November 30, 2000.

Inasmuch as respondent acknowledges the violation of SR 1-5(a), subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h) (see N.J.A.C. 13:40A-6.1); and inasmuch as respondent is further subject to sanctions pursuant to N.J.S.A. 45:1-21(e), (g) and (h) for the HUD action (see N.J.A.C. 13:40A-

7.9), and because the parties wish to avoid further proceedings, and for good cause shown,

IT IS, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003,

ORDERED AND AGREED THAT:

1. Respondent is hereby publicly reprimanded for the conduct found supra.
2. Respondent shall demonstrate successful completion of a course in report writing approved by the Board within six months of the filing of this Order.
3. Respondent shall, simultaneously with the execution of this order, pay a civil penalty in the amount of \$2500, pursuant to N.J.S.A. 45:1-25. This shall be in the form of a certified check or money order made payable to the State of New Jersey, and forwarded to the attention of Dr. James S. Hsu, Executive Director, Board of Real Estate Appraisers, P.O. Box 45032, 124 Halsey Street, Third Floor, Newark, NJ 07101.

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Ronald A. Curini  
Board President

  
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Rodney G. Kirkland

Date: 9/15/03