

COPY

FILED
BOARD OF
REAL ESTATE APPRAISERS
James Hsu
DR. JAMES S. HSU
Executive Director *7/20/04*

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

IN THE MATTER OF THE :
LICENSE OF :
:
ANDREW J. LEVINE :
RG 1802 :
:
TO ENGAGE IN REAL ESTATE :
APPRAISING IN THE STATE :
OF NEW JERSEY :

Administrative Action

FINAL ORDER

CERTIFIED TRUE COPY

This matter was opened to the New Jersey State Board of Real Estate Appraisers ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a certified general real estate appraiser whose certification expired on December 31, 2003, and was not renewed.
2. On February 17, 2004, the Board wrote to respondent asking for information about an appraisal report performed by respondent of property at 31 Curtis Avenue, West Orange, New Jersey, which appraisal report was completed at a time when respondent was still a Board licensee in good standing. The Board's letter was sent by certified and regular mail to respondent's address of record at 376 Grove Road, South Orange, New Jersey. Certified mail was returned unclaimed. Regular mail was not returned. No response was received.
3. On April 14, 2004, the Board wrote to respondent referring to the previous

communication and asking respondent to respond within 15 days to the Board's request for information. The letter was sent by certified and regular mail to respondent's address of record. Certified mail was signed for. Regular mail was not returned. No response was received.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's inquiries constituted a failure to cooperate with an investigation of the Board pursuant to N.J.A.C. 13:45C-1.2, thus subjecting him to sanctions pursuant to N.J.S.A. 45:1-21 (e) and (h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 21, 2004, provisionally imposing a civil penalty of \$500 upon respondent, as well as a public reprimand for the violation of N.J.A.C. 13:45C-1.2. Copies of the Order were forwarded to respondent at his address of record by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Board, explaining that he had been unable to reply earlier, and apologizing for his failure to respond. Respondent furnished a thorough and complete response to the Board's request for information. In light of the good faith demonstrated by respondent in furnishing the Board with information, and

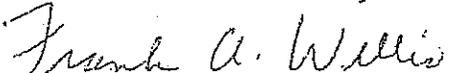
demonstrated as well by his response to the complaint, the Board considered the matter and determined that the Provisional Order of Discipline filed on May 21, 2004 should be rescinded.

ACCORDINGLY, IT IS on this *20th* day of *July*, 2004,

ORDERED that:

1. The Provisional Order of Discipline filed on May 21, 2004 is hereby rescinded.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS



Frank A. Willis
President