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

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

IN THE MATTER OF THE
TRAINEE PERMIT OF

SCOTT ALEX
RP 2487

TO ENGAGE IN REAL ESTATE
APPRAISING IN THE STATE
OF NEW JERSEY

Administrative Action

FINAL ORDER

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 real estate appraiser trainee with a permit issued by the Board expiring on November 30, 2004.
2. On March 31, 2004, the Board informed respondent that his supervisory appraiser, Michael Bassillo, had indicated to the Board that he was completely and

totally disabled. The Board informed respondent that he could no longer perform appraisal reports using the signature of Mr. Bassillo^{as} his supervisory appraiser.₁

Respondent was also asked to furnish the Board with information about all appraisals he had performed to date in the year 2004.

3. The Board's letter was sent by regular mail to respondent's address of record, 329 Larch Court, Flemington, New Jersey 08822. No response was received. The mailing was not returned.

4. On April 19, 2004, the Board wrote to respondent enclosing a copy of the March 31, 2004 letter, and asking respondent to reply to the Board's request for information within ten business days. The letter was sent by certified mail to respondent's address of record. Regular mail was not returned. The return receipt for certified mail was not returned. No reply was received from respondent.

5. On May 17, 2004, the Board forwarded to respondent by overnight mail copies of the previous correspondence and a communication advising respondent that his failure to reply immediately to the Board's request for information could lead to revocation of his trainee's permit. An immediate response was requested. Although UPS tracking indicates that this communication was delivered to respondent's address of record, 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 June 21, 2004, provisionally revoking respondent's trainee permit for the violation of N.J.A.C. 13:45C-1.2. 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 forwarded to the Board a log which indicated that he had performed one appraisal report under Mr. Bassillo's supervision in 2004. Respondent explained that he had only read the beginning of the Board's first letter, and inasmuch as he had already, at the beginning of the year, decided he would no longer serve as a trainee, he did not respond. He further explained that upon receipt of the Board's second letter, when he sought to prepare the requested log, he had been informed by a member of Mr. Bassillo's staff that a log had to be submitted with Mr. Bassillo's signature, and he therefore waited several weeks fruitlessly to obtain this signature.

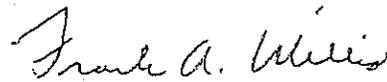
Respondent's submission was reviewed by the Board, and the Board determined that respondent's explanation, and his indication that he was no longer seeking a career in real estate appraisal, coupled with the sparse activity demonstrated by his log, credibly supported the contention that he had not intentionally failed to cooperate with the Board's investigation. The Board thus decided that the Provisional Order of Discipline should be rescinded.

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

ORDERED that:

1. The Provisional Order of Discipline entered on June 21, 2004 is hereby rescinded.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS



Frank A. Willis
President