

FILED
BOARD OF
REAL ESTATE APPRAISERS
James S. Hsu
DR. JAMES S. HSU
 Executive Director

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

COPY

IN THE MATTER OF
 THE LICENSE OF

 ANDY M. PERDIKOS
 RP 01083

 TO PRACTICE AS A
 REAL ESTATE APPRAISER
 IN THE STATE OF NEW JERSEY

Administrative Action
 FINAL ORDER
 OF DENIAL OF LICENSURE

CERTIFIED TRUE COPY

This matter came before the New Jersey State Board of Real Estate Appraisers (the Board) upon information that the Board has reviewed and on which the following findings are made:

FINDINGS OF FACT

1. Respondent has been the holder of a trainee permit issued by the Board, and his application for certification as a Certified Residential appraiser was received on January 9, 2002.

2. On March 21, 2002, a letter was issued by the Board indicating that his application for certification as a Certified Residential real estate appraiser in the State of New Jersey was approved, and thus that he was granted permission to take the examination for that certification.

3. On or about December 5, 2003, the Board received notice

that respondent had passed the examination for state licensed real estate appraiser (a less demanding designation than certified residential real estate appraiser). At the time that the Board received this notice, respondent forwarded a check in the amount of \$725 for licensure fees. This check has not been cashed.

4. In a communication received by the Board on November 24, 2003, the Board was informed that Linda S. Avantaggiato alleged that she had employed respondent until approximately June of 2002, and that she had learned that respondent had been preparing appraisal reports using Ms. Avantaggiato's name without her knowledge and consent since he left her employ.

5. On December 17, 2003, respondent was asked to appear before the Board on January 13, 2004 to respond to these allegations, and to bring with him a complete log of all appraisal reports he performed with and for Ms. Avantaggiato.

6. Shortly before the scheduled appearance, respondent called to cancel the appearance.

7. Respondent's appearance was rescheduled for March 9, 2004, and respondent was informed of this in a letter dated February 25, 2004.

8. Shortly before the scheduled appearance, respondent called to cancel the appearance.

9. In a letter dated March 15, 2004, respondent was informed that his appearance had been rescheduled for April 13, 2004.

Respondent was further informed that this inquiry could no longer be postponed.

10. On the date of the scheduled inquiry, April 13, 2004, Lawrence Banigan, an employee of Steven B. Hill, telephoned to state that respondent was canceling the inquiry.

11. Respondent was subpoenaed to appear before the Board on June 8, 2004.

12. Respondent did not appear before the Board in response to the subpoena on June 8, 2004.

CONCLUSIONS OF LAW

1. Respondent's failure to appear before the Board at three scheduled inquiries to respond to such serious charges constitutes professional misconduct within the intendment of N.J.S.A. 45:1-21(e). Respondent's failure to appear at the inquiries also constitutes a failure to cooperate with an investigation of the Board in violation of N.J.A.C. 13: 45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:2-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 18, 2004, provisionally revoking the Board's 2002 approval of respondent's application for licensure/certification, and denying his application for licensure based upon 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.

Although the record reflects that the Provisional Order was served upon respondent by mailing to his address of record, where certified mail was signed for and regular mail was not returned, no response has been received to date. Accordingly, the Board considered the matter, determined that further proceedings were not necessary, and that the Provisional Order should be made final.

THEREFORE, IT IS ON THIS 26th DAY OF August, 2004,

ORDERED:

1. The approval of Respondent's application for licensure/certification, of which he had been previously notified in the Board's letter of March 21, 2002, is hereby revoked, and his application is hereby denied.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS

By:

Frank A. Willis

Frank A. Willis
Board President