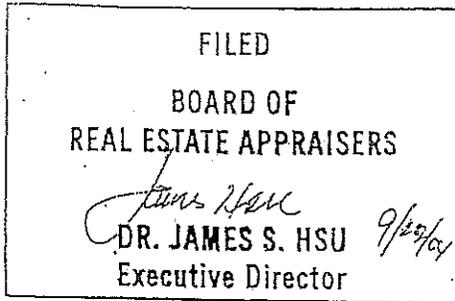


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF REAL ESTATE APPRAISERS

IN THE MATTER OF THE
LICENSE OF

JOSEPH A. PERELLA
License# RG01182

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

Administrative Action

FINAL ORDER
OF DISCIPLINE

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 licensed real estate appraiser in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On May 13, 2004, a Demand for Statement in Writing Under Oath was sent to respondent at his address of record, asking him about an appraisal of 3041 Cedarville Road, Lawrence Township, New Jersey, as well as questions about his appraisal practice. No response was received.
3. On June 17, 2004, the Board wrote to respondent, by certified and regular mail, again forwarding the Demand for Statement in Writing Under Oath to him, and

advising him to respond to the Board within ten days. Certified mail was signed for. Regular mail was not returned. No response has been received to date.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Demand for Statement in Writing Under Oath constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent 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 July 20, 2004, provisionally imposing a \$1000 civil penalty upon respondent for his failure to cooperate with the Board's investigation, as well as a public reprimand, and provisionally suspending respondent's certification to engage in real estate appraising until he furnished a response to the Demand for Statement in Writing Under Oath. 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 Order, explaining that he had intended to mail his reply to the Demand for Statement prior to leaving for vacation, but discovered when he returned from vacation that he had neglected to mail the response. Respondent

furnished the Statement in Writing Under Oath, and requested that the Board rescind the Provisional Order of Discipline in light of the fact that respondent had appeared on May 11, 2004 at the Board's offices pursuant to a Board request, in order to participate in an investigative inquiry based upon a complaint received by the Board, and was then advised to return home because the Board did not have sufficient time to question him. At that time, it was agreed that the Board would attempt to address the issues raised in the complaint by means of a Demand for Statement in Writing Under Oath. The Board considered respondent's request for consideration, but noted that respondent had nevertheless failed to respond to two communications of the Board seeking information. However, in light of the fact that respondent had indeed made the effort to appear before the Board on May 11, 2004, and through no fault of his own was unable to answer the Board's questions at that time, the Board acknowledges respondent's earlier conduct as mitigating, and consequently has determined to reduce respondent's monetary penalty.

ACCORDINGLY, IT IS on this 22nd day of Sept, 2004,

ORDERED that:

1. A civil penalty in the amount of \$500 is hereby assessed against respondent.
2. A public reprimand is hereby imposed upon respondent pursuant to N.J.S.A. 45:1-21(e) and (h).
3. Respondent has replied to the Board's Demand for Statement in Writing

Under Oath, and therefore respondent's certification to engage in real estate appraising in the State of New Jersey is not suspended.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS

Frank A. Willis

Frank A. Willis
Board President