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	Final Order of
summary	Discipline
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 BOARD OF
 REAL ESTATE APPRAISERS
James S. Hsu
 DR. JAMES S. HSU 7/27/05
 Executive Director

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

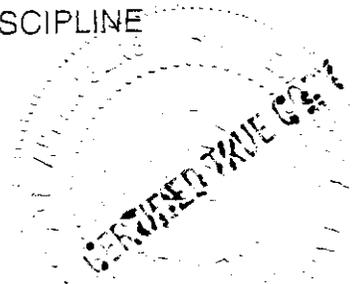
IN THE MATTER OF THE
 LICENSE OF

JOHN O. CLAUBERG
 LICENSE #RA 683

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

Administrative Action

FINAL ORDER
 OF DISCIPLINE



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 residential real estate appraiser whose license was suspended as of July 13, 2000.
2. Respondent, since his license was suspended, has acknowledged that he

performed from 25 to 30 appraisals in the State of New Jersey.

3. Respondent further acknowledged that he created a false document which purported to be a valid appraiser license issued by the Board, at a time when his license was suspended, in order to obtain employment as a real estate appraiser in New Jersey.

CONCLUSIONS OF LAW

1. Respondent's engaging in real estate appraising at a time when he was suspended by the Board constituted a failure to comply with a Board Order in violation of N.J.A.C. 13:45C-1.4. This subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

2. Respondent's engaging in real estate appraising at a time when he did not possess a valid license to do so constitutes a violation of N.J.S.A. 45:14F-21, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(h) and N.J.S.A. 45:1-25.

3. Respondent's creating of a false document in order to deceptively obtain employment as a real estate appraiser constitutes engaging in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense, and subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 17, 2005, provisionally ordering respondent to cease and desist from engaging in real estate appraising in the State of New Jersey and from creating false documents; and assessing against respondent a civil penalty in the

amount of \$15,000.00, and costs in the amount of \$7,926.00, as well as ordering respondent to comply with the terms of the July 13, 2000 Order suspending his license and imposing a civil penalty in the amount of \$150.00. A copy of the Order was personally served upon respondent at 12 Claremont Place, Bloomfield. 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.

No response was received to the Provisional Order, despite its having been personally served upon respondent. Accordingly, the Board determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 27th day of July, 2005,

ORDERED that:

1. Respondent is hereby ordered to cease and desist from engaging in real estate appraising in the State of New Jersey unless or until he is legally authorized to do so. He is further ordered to cease and desist from creating false official documents.
2. Respondent is hereby assessed a civil penalty in the amount of \$15,000.00 as well as costs in the amount of \$7,926.00, for a total of \$22,926.00.
3. Respondent is hereby ordered to abide by the July 13, 2000 Order suspending his license and imposing a civil penalty in the amount of \$150.00. Thus the

total amount due is \$23, 076.00.

4. In the event that respondent fails to furnish timely payment of any civil penalties and costs imposed upon finalization of this Order, a Certificate of Debt may be filed.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS



Denise M. Siegel
Board President