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FILED
BOARD OF
REAL ESTATE APPRAISERS
James Hsu
DR. JAMES S. HSU 2/4/66
Executive Director

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

CERTIFIED TRUE COPY

IN THE MATTER OF THE LICENSE OF :
:
LINDA S. AVANTAGIATO :
License RA3506 :
:
TO ENGAGE IN REAL ESTATE :
APPRAISING IN THE STATE :
OF NEW JERSEY :

CONSENT ORDER

This matter was opened to the New Jersey State Board of Real Estate Appraisers ("the Board") upon receipt of information from respondent indicating that a former employee of hers was preparing appraisal report using respondent's name, although he

was no longer employed by respondent's appraisal company and respondent was not supervising his work. In the course of its investigation, the Board submitted a Demand for Statement in Writing Under Oath to respondent, and respondent complied by submitting a signed and notarized response to the questions posed. Two weeks following her submission of this Statement Under Oath, however, respondent sent a facsimile communication to the Board, disavowing the information provided in that Statement. On December 17, 2004, respondent appeared before a committee of the Board and responded under oath to each of the questions that had previously been asked her in the Demand for Statement in Writing Under Oath. Her answers at this time in many respects differed sharply from her original submissions. In addition, she stated under oath that she had not reviewed and signed the appraisal reports of one of her trainees, David Pita, on a monthly basis, as is required pursuant to N.J.A.C. 13:40A-4.6. Instead respondent admitted that she signed and initialed blank log sheets, to be subsequently filled out by the trainee, and which she did not later review.

The Board finds that respondent's responses in the Statement Under Oath that she submitted to the Board were misleading and deceptive within the intendment of N.J.S.A. 45:1-21(b), and that her signing of blank log sheets also constituted misleading and deceptive conduct within the intendment of N.J.S.A. 45:1-21(b),

as well as a violation of N.J.A.C. 13:40A-4.6, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(h). Inasmuch as the Board recognizes that respondent herself brought this matter to the Board's attention initially, and inasmuch as respondent acknowledges that her responses were misleading, and the parties having agreed to resolve this matter without further proceedings,

IT IS ON THIS 1st DAY OF February, 2006

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby suspended from the practice of real estate appraising in the State of New Jersey for a period of two years. Such suspension is to begin twenty-one (21) days following the entry of this signed Order and is to be stayed and served as a period of probation.

2. Respondent is hereby assessed a civil penalty in the amount of \$2500.

3. Payment is to be made in the form of a certified check, money order or attorney trust account check made payable to the State of New Jersey, and forwarded to the attention of Dr. James S. Hsu, Executive Director, Board of Real Estate Appraisers, 124 Halsey Street, Third Floor, P.O. Box 45032, Newark, NJ 07101. An initial payment in the amount of \$500 is to be submitted upon the signing of this Order by respondent. Subsequently respondent is to make payments of \$100 per month, beginning on March 1, 2006,

and continuing on the first day of each subsequent month, until respondent has satisfied the total amount of the penalty.

4. Failure to comply with this Order may result in the filing of a Certificate of Debt.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS


Linda S. Avantagiato

By: 
Denise M. Siegel
Board President

Date: Jan. 25, 2006

Consent as to form and entry:


Brad D. Shalit, Esq.
Attorney for respondent

Date: 1/25/06