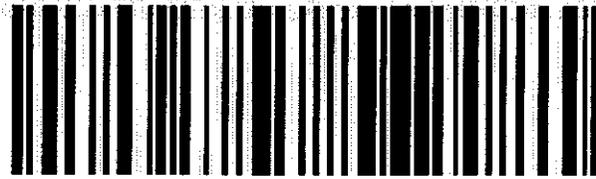


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location	Collection-455
summary	Consent Order
author	Tracy Steel
expiration_date	02/06/2071
max_versions	4
title	DeMoss Walter
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	42RA00300800
	DeMoss Walter
document	J
	42RA00300800
keywords	
dsclass	Document
description	

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ORIGINAL

FILED
BOARD OF
REAL ESTATE APPRAISERS
James Hsu 2/9/06
DR. JAMES S. HSU
Executive Director

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

IN THE MATTER OF THE LICENSE OF :
:
WALTER J. DeMOSS :
License RA00300800 :
:
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 pursuant to an investigation of United Business School, a continuing education provider from which respondent obtained

continuing education certificates to meet his continuing education obligation pursuant to N.J.A.C. 13:40A-5.3. In the course of its investigation, the Board ascertained that respondent had obtained two certificates from United Business School, indicating that he had completed a total of 30 hours of instruction in two separate courses, and passed a final examination for each course, on December 27, 2002 and September 18, 2003, respectively. Respondent did not actually receive instruction in connection with those courses, and did not pass any final examination. Respondent consequently did not complete his continuing education requirement for the licensure period of 2002-2003, and the indication upon his renewal form for the 2004-2005 licensure period that he had satisfied his obligation was not truthful. In addition, respondent admitted to having taken abbreviated courses for the previous renewal period, during the 2000-2001 licensure period. The Board thus finds that respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21 (b), (e) and (h), for having engaged in misrepresentation and deceptive conduct, as well as having violated N.J.A.C. 13:40A-5.3. Inasmuch as respondent has frankly admitted to the conduct alleged above, and in order to resolve this matter without further proceedings, and for other good cause shown,

IT IS ON THIS 6th DAY OF February, 2006

HEREBY ORDERED AND AGREED THAT:

1. The license of respondent to practice real estate appraising in the State of New Jersey is hereby suspended for the conduct acknowledged by him, and for the violations of N.J.S.A. 45:1-21(b), (e) and (h) and N.J.A.C. 13:40A-5.3 found by the Board. The suspension shall be for a period of two years, which shall include three months of active suspension, with the remaining one year and nine months of the suspension to be stayed, and served as a period of probation. The active suspension shall begin on the fifteenth (15th) business day following the date of entry of this Order, and shall terminate after a total of 90 calendar days.

2. Respondent agrees to and shall cease and desist from further misrepresentations in connection with continuing education, and shall adhere to the letter and spirit of the obligations imposed by N.J.A.C. 13:40A-5.3 in his future conduct.

3. Respondent agrees to and shall pay a civil penalty in the amount of \$5,000.00 for violation of N.J.S.A. 45:1-21(b), and (e). 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, P.O. Box 45032, 124 Halsey Street, Third Floor, Newark, NJ 07101. Payment shall be made within twenty one (21) days following the issuance of this Order. Payment terms are as follows:

a) \$1,250.00 is to be paid immediately, and to accompany this signed Order.

b) Subsequent payments in the amount of \$1,250.00 each are due on April 15, 2006; July 15, 2006; and October 15, 2006.

c) If any payment is not made within 30 days of the due date, the entire unpaid balance due and payable under this Order may, upon notice to respondent, immediately become accelerated and be deemed due and payable, with interest calculated in accordance with R. 4:42-11 from the date of default.

4. Prior to his return to active practice, respondent agrees to and shall successfully complete 56 credit hours in satisfaction of his continuing education requirement for the 2000-2001 and 2002-2003 licensing period. Respondent shall submit certificates demonstrating successful completion these credit hours. In addition, respondent shall submit certificates demonstrating successful completion of his continuing education obligation for the 2004-2005 licensing period prior to his return to active practice.

5. Failure to comply with any other provision of this Order may, following notice and an opportunity to be heard, result in the activation of the stayed period of suspension.

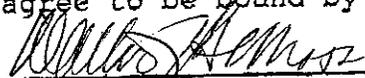
6. Respondent may, no later than three months following the date of issuance of this Order, elect to surrender his license to the Board. In the event that respondent so elects, he

shall not be required to comply with paragraph #4, supra .
Respondent shall make this election by submitting written notification to the Board, along with respondent's license. In the event that respondent elects to surrender his license, however, and at some future date respondent applies to the Board for reinstatement, respondent shall, prior to reinstatement, be required to submit proof of successful completion of the 56 credit hours of continuing education and the 28 credit hours for the 2004-2005 renewal period, as well as complying with any other requirements imposed by law or regulation, before the Board will entertain any such application.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS

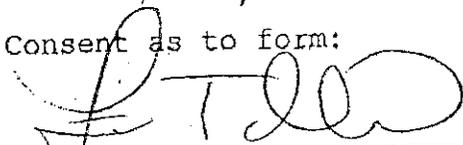
By: 
Denise M. Siegel
Board President

I have read and I understand the provisions of this Order. I agree to be bound by this Order.


Walter J. DeMoss

Date: 1/27/06

Consent as to form:


Francesco Taddeo, Esq.

Date: 1/30/06