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

ORIGINAL

IN THE MATTER OF THE :
APPLICATION OF :
:
GLENN COHEN :
RP00255600 :
:
TO PRACTICE AS A REAL ESTATE :
APPRAISER IN THE STATE :
OF NEW JERSEY :

Administrative Action

FINAL ORDER
DENYING APPLICATION
FOR LICENSURE

James Hsu
DR. JAMES S. HSU
Executive Director 10/2/06

This matter was opened to the New Jersey State Board of Real Estate

Appraisers ("the Board") upon receipt of an application for licensure from Glenn Cohen ("the Applicant") on February 24, 2005. The Applicant at that time was a trainee with a permit issued by the Board, which permit expired on December 31, 2005. The Applicant performed appraisals under the supervision of Jacques Magloire, a licensee of this Board. According to a log of appraisal reports submitted to the Board by the Applicant, he has assisted with at least 503 appraisal reports during the period of time he was being supervised by Mr. Magloire.

On September 19, 2005, the Applicant appeared before the Board and testified under oath in connection with a Board investigation. The Applicant had been requested to bring in copies of certain appraisal reports selected at random from his log. The

Applicant brought in 15 appraisal reports. According to the Applicant's sworn testimony, the reports had been printed out from the computer of his supervising appraiser. With the exception of one of the 15 reports, these reports did not bear the name of any appraiser on them whatsoever, and consequently were not true copies of the actual appraisal reports that had issued to the clients. The Applicant testified that he had reason to believe that all the appraisal reports that went out as a final product to clients, including the reports he had brought in to the Board on September 19, 2005, as well as the reports listed on his log, did not bear his name as having provided significant assistance with the report. The Applicant further testified that he had been advised that his name did not appear in the reports because certain mortgage companies would not accept appraisal reports bearing the names of apprentice appraisers.

It is clear that the reports on the Applicant's log, which had been submitted to establish his experience, were not USPAP-compliant. Pursuant to Standards Rule 2-3 of the USPAP, each written real property appraisal report is required to contain a signed certification indicating, inter alia, whether the appraiser received significant professional assistance in the preparation of the report, and whether the appraiser personally inspected the property that is the subject of the report.

According to N.J.A.C. 13:40A-3.4, applicants for licensure are required to complete the experience requirements established by "The Real Property Appraiser Qualification Criteria and Interpretation of the Criteria" ("the Criteria") as promulgated by the Appraisal Qualification Board of the Appraisal Foundation, as amended and supplemented. Pursuant to those Criteria, all experience obtained after January 1, 1991

must be USPAP-compliant. The Applicant's experience was clearly not USPAP-compliant, because, according to the Applicant's testimony, the appraisal reports that issued bore false or misleading certifications. Finally, the Applicant demonstrated that he was aware that his experience was problematic, because when he was initially asked by the Board to submit three appraisal reports in connection with his application for licensure, the reports he submitted were deliberately altered so as to reflect his name and signature on both the certification page and the signature page of the reports, although, according to his testimony, reports that issued to clients did not bear his name or signature. The Board finds that the Applicant deliberately signed the report so as to give a misleading impression to the Board.

Under the Uniform Enforcement Act, licensure may be denied for deceptive conduct pursuant to N.J.S.A. 45:1-21(b), as well as for professional misconduct pursuant to N.J.S.A. 45:121(e). N.J.A.C. 13:40A-6.1 provides that the failure to comply with the USPAP may be deemed professional misconduct pursuant to N.J.S.A. 45:1-21(e). The Applicant's actions were plainly misleading within the intendment of the Conduct Section of the Ethics Rule of the USPAP, in that he knowingly participated in the preparation of over numerous reports which bore false certifications. In addition, he deliberately attempted to mislead the Board by furnishing copies of three appraisal reports which were deliberately prepared so that they appeared to bear his name and signature on the certification page and the signature page, although he testified that the reports he had assisted with did not bear his name and signature.

The Board regards the Applicant's conduct, the acquiescence to the submission of false certifications, and his submission of the three reports deliberately presented so

as to appear that appraisal reports he worked on did not bear false or misleading certifications, as professional misconduct in violation of N.J.S.A. 45:1-21(e).

Therefore, the Board finds that the Applicant's experience hours were not USPAP-compliant, and that the Applicant engaged in professional misconduct in violation of N.J.S.A. 45:1-21(e) by acquiescing in the submission of reports to clients bearing false or misleading certifications, and by submitting misleading appraisal reports to the Board.

Based on the foregoing findings and conclusions, a Provisional Order Denying Application for Licensure was entered on June 26, 2006. A copy of the Order was forward to the Applicant by certified and regular mail at his address of record at 44 Dorothy Avenue, Edison, New Jersey. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless the Applicant 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 the Applicant's request for consideration and reasons therefor.

The Applicant submitted an undated reply to the Provisional Order, which did not contest the Board's findings and conclusions in the Provisional Order. In his communication. The Applicant requested an opportunity to take a USPAP course and to train again under a new supervisor. Inasmuch as the Provisional Order only addressed respondent's application for licensure, the Board finds no basis for modification of the Provisional Order, and has determined that the Provisional Order

should be made final. The Board declines to address respondent's request in connection with this matter. However, the Board will consider any subsequent application by the Applicant for a trainee permit, in the event the Applicant elects to submit any such document, on its own merits.

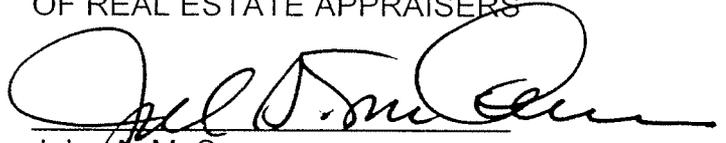
Accordingly,

IT IS on this 10th day of Oct, 2006,

ORDERED that:

1. The application for licensure is hereby denied.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS



John A. McCann
President