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BOARD OF  
REAL ESTATE APPRAISERS  
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2007 JUN 28 6/20/07  
DR. JAMES HSU  
Executive Director

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

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IN THE MATTER OF THE  
SUSPENSION OR REVOCATION OF  
THE LICENSE OR CERTIFICATION  
OF

**JORGE TINOCO,  
RA0038900**

TO PRACTICE AS A REAL ESTATE  
APPRAISER 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 real estate appraiser in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. The Board conducted a continuing education audit in 2006, asking a random sampling of its licensees for documentation of continuing education completed

Appr # 1036177

during the 2004-2005 licensing period.

3. Respondent submitted documentation in response to this audit, which was received on June 28, 2006.

4. Respondent did forward proof of successful completion of the 7-hour USPAP course.

5. Respondent submitted documentation of having completed a total of 21 credit hours of continuing education prior to December 31, 2005.

6. Respondent certified upon respondent's renewal application for the 2006-2007 licensure renewal period that respondent had completed the continuing education requirement during the previous biennial licensure renewal period.

7. Respondent certified upon respondent's renewal application for the 2006-2007 licensure renewal period that respondent had completed a USPAP course.

8. Respondent is required pursuant to N.J.A.C. 13:40A-5.3, -5.4 to have completed the equivalent of fourteen (14) classroom hours of instruction for each year during the period preceding renewal. The continuing education completed must include either a seven (7) or fifteen (15) hour USPAP course.<sup>1</sup>

#### CONCLUSIONS OF LAW

1. Respondent's failure to successfully complete continuing education requirements for licensure during the 2004-2005 biennial renewal period constitutes a violation of N.J.A.C. 13:40A-5.3, -5.4, subjecting respondent to sanctions pursuant to

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<sup>1</sup> 2004 was the last year that the 15-hour USPAP course could be used to satisfy the USPAP continuing education requirement.

N.J.S.A. 45:1-21 (e) and (h).

2. Respondent's certification upon renewal for the January 1, 2006-December 31, 2007 renewal cycle that respondent had satisfied the continuing education requirement constitutes a violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 26, 2007, provisionally suspending respondent until he had furnished proof of successful completion of the continuing education for the 2004-2005 licensure cycle, imposing a public reprimand upon respondent, and imposing a civil penalty in the amount of \$750. A copy of the Order was forwarded to respondent by certified and regular mail at his address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> 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 subsequently, following notification by the Board that he was seven (7) credit hours in arrears of his 2004-2005 continuing education obligation, forwarded proof to the Board of successful, though belated, completion of these credits. Thus suspension of respondent's license is not warranted. Inasmuch as respondent did not contest the findings of fact or conclusions of law in the Provisional Order, the Board determined that further proceedings were not necessary and that the Provisional Order

should be made final.

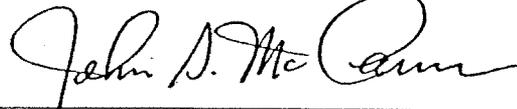
ACCORDINGLY, IT IS on this 20 day of June, 2007,

ORDERED that:

1. A public reprimand is hereby imposed upon respondent for his violation of N.J.S.A. 45:1-21(b), (e) and (f).

2. A civil penalty in the amount of \$750 is hereby imposed upon respondent. Payment shall be in the form of a certified check, money order or attorney trust account check made payable to the State of New Jersey, and shall be forwarded within twenty one (21) days of the entry of this Order to the attention of Dr. James S. Hsu, Executive Director, Real Estate Appraiser Board, P.O. Box 45032, 124 Halsey Street, Third Floor, Newark, NJ 07101.

NEW JERSEY STATE BOARD  
OF REAL ESTATE APPRAISERS



John A. McCann  
President