

CERTIFIED TRUE COPY

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

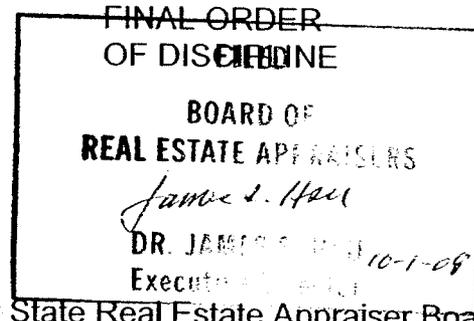
IN THE MATTER OF THE
LICENSE OF

JOANNE FEKETE
RA00315400

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

Administrative Action

COPY



This matter was opened to the New Jersey State Real Estate Appraiser Board ("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 in the State of New Jersey, and has been a licensee of the Board at all times relevant hereto.
2. On or about February 11, 2008, the Board conducted a continuing education audit, asking a random sampling of its licensees for documentation of having completed the continuing education requirements set forth in N.J.A.C. 13:40A-5.3 and N.J.A.C. 13:40A-5.4 for the 2006-2007 licensing period. The request for information was sent by regular mail to licensees at their address of record.
3. Respondent replied to the audit, indicating that she had not taken any continuing education credit hours to satisfy her continuing education obligation during

the 2006-2007 licensing period.

4. Respondent certified upon respondent's renewal application for the 2008-2009 licensure renewal period that she had completed the continuing education requirement during the previous biennial renewal period.

5. Respondent certified upon respondent's renewal application that respondent had completed a USPAP course.

6. 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 a seven hour USPAP course, or its equivalent.

7. The Real Property Appraiser Qualification Criteria, issued by the Appraiser Qualifications Board of the Appraisal Foundation, do not recognize any reason apart from military service or inactive status as a justifiable reason for failure to timely complete continuing education requirements.

8. Respondent still has not demonstrated successful completion of the requisite 28 credit hours of continuing education, including the seven-hour USPAP course, required for the 2006-2007 licensing period.

CONCLUSIONS OF LAW

1. Respondent's failure to timely complete continuing education requirements constitutes a violation of N.J.A.C. 13:40A-5.3, -5.4, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

2. Respondent's certification on his renewal form that he had successfully completed the 2006-2007 continuing education requirements constitutes

misrepresentation, in 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 July 18, 2008, provisionally suspending respondent's appraising license, imposing a public reprimand, and a civil penalty in the amount of \$1,750.00. A copy of the Order was forwarded to respondent by certified and regular mail at her address of record. 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.

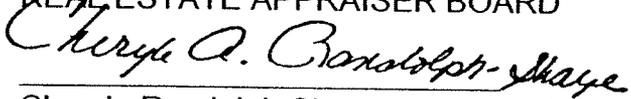
Respondent responded to the audit, indicating that she took no continuing education courses in the 2006-2007 licensure period, but provided credible proof that she had been seriously injured in May of 2006, and was still recovering. Respondent indicated that she had renewed her license believing that she had fulfilled her continuing education requirements. The Board was not persuaded with respect to the issue of misrepresentation, finding that respondent knew or should have known that she had not taken any continuing education during the applicable two-year period, but determined that some consideration with respect to penalty was warranted. Accordingly, the Board determined to forego any monetary penalties, but that otherwise the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 1st day of October, 2008,

ORDERED that:

1. Respondent's license is hereby suspended until respondent has furnished proofs of having successfully completed the credit hours of the requisite continuing education for 2006-2007. Respondent must submit proof of successful completion of 28 (twenty-eight) credit hours of continuing education, including the requisite update course in the Uniform Standards of Professional Appraisal Practice.
2. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b), (e) and (h).
3. The proposed monetary penalty set forth in the Provisional Order is hereby amended and no civil monetary penalty is imposed.

NEW JERSEY STATE
REAL ESTATE APPRAISER BOARD



Cheryle Randolph-Sharpe
Board President