

FILED

BOARD OF
REAL ESTATE APPRAISERS

James S. Hsu
DR. JAMES S. HSU 10-1-08
Executive Director

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

JUDITH M. CORBUTT
RC 00019500

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

Administrative Action

CERTIFIED TRUE COPY

FINAL ORDER
OF DISCIPLINE

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 certified 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 only completed twenty one (21) credit hours continuing education courses during the 2006-2007

licensing period, because she made a mistake in keeping track of the hours she had completed.

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

5. 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.

6. 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.

7. 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 her renewal form that she 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 \$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 replied to the Order, furnishing proof of successful completion of seven credit hours of continuing education on March 21, 2008, and thus demonstrating belated satisfaction of the 2006-2007 continuing education requirement. Consequently suspension of respondent's appraising license is no longer warranted. Respondent also included payment in the amount of \$750.00, and indicated that she intended to comply with continuing education requirements in timely fashion in the future. The Board considered this matter, determined that further proceedings were not necessary, and that the Provisional Order should be made final.

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

ORDERED that:

1. The Provisional suspension of respondent's appraising license is hereby rescinded, and respondent's license remains in good standing.
2. A public reprimand is hereby imposed upon respondent for her violation of

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

3. A civil penalty in the amount of \$750.00 is hereby imposed upon respondent. Inasmuch as respondent has already made payment, no further action is required on respondent's part with respect to this paragraph.

NEW JERSEY STATE
REAL ESTATE APPRAISER BOARD

Cheryle A. Randolph-Sharpe

Cheryle Randolph-Sharpe
Board President