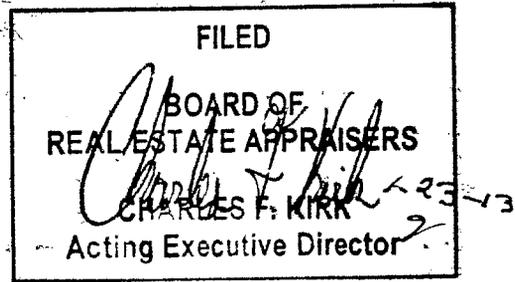


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SA.
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE REAL ESTATE
APPRAISERS BOARD

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
 :
 :
SHAWN R. DIXON :
License No. 42RA00429200 :
 :
 :
TO ENGAGE IN THE PRACTICE OF :
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 ("Board") upon receipt of information concerning four appraisal reports that respondent Shawn R. Dixon prepared for properties located at 1035 South Cornwall Avenue, Ventnor, NJ ("Cornwall"), on or around February 22, 2008; 36 N. Delancy Place, Atlantic City, NJ ("Delancy"), on or around January 17, 2007; 1108 Cumberland Avenue, Deptford, NJ ("Cumberland"), on or around December 20, 2008; and 135 Royal

Drive, Brick, NJ ("Royal"), on or around December 18, 2008.

Respondent was licensed as a real estate appraiser as of March 12, 2008.

In reviewing this matter, the Board has considered available information concerning the four subject property appraisals including testimony that respondent offered when he appeared before the Board, accompanied by his attorney Thomas L. Murphy, Esq., on April 26, 2011.

The Board finds that in preparing said reports, respondent violated numerous provisions of the Uniform Standards of Professional Appraisal Practice (USPAP).

1. With respect to Delancy and Royal, respondent violated Standards Rule (SR) 1-1(a) of the USPAP which requires an appraiser to correctly employ those recognized methods and techniques necessary to produce a credible appraisal. With respect to Delancy, respondent did not adjust his appraisal based on one of the comparables having bay views which the subject property did not have; respondent admitted that there should have been an adjustment for the bay views. In addition, respondent did not adjust his appraisal based on the subject property being on a less traveled street than one of the comparables.

With respect to Royal, respondent did not indicate in his report that the comparable properties were estate sales or short

sales and that the subject property was a foreclosure sale. In addition, respondent did not mention a prior sale of the subject property three years earlier, for almost twice the current appraisal amount. Although respondent indicated that there was a prior sale of the subject property for \$775,000 in 2005, respondent's analysis of that prior sale was inadequate to explain the value of \$435,000 reached in his appraisal on December 18, 2008.

2. With respect to Royal, respondent violated SR 1-1(b) of the USPAP which requires an appraiser to avoid committing a substantial error of omission or commission that significantly affects an appraisal in that respondent failed to include in his report that the subject property was severely neglected and was being sold in "AS IS" condition.

3. With respect to Delancy and Royal, respondent violated SR 1-1(c) of the USPAP which requires an appraiser to avoid rendering appraisal services in a careless or negligent manner, in that respondent failed to adjust for the comparables having bay views and being located on busier streets and failed to indicate the subject property was a foreclosure sale.

4. With regard to Delancy, Cumberland and Royal, respondent violated SR 1-2(e) of the USPAP which requires an appraiser to identify the characteristics of the property that are relevant to the type and definition of value and intended

use of the appraisal including its location, and physical and economic attributes. With respect to Delancy, respondent failed to apply an appropriate adjustment based on the comparable being located on a busier street than the subject property. With respect to Cumberland, one of the comparables had extensive upgrades and renovations which were not reflected in the appraisal report. The report was misleading because respondent failed to analyze the data and apply appropriate adjustments as to the considerable upgrades done to the interior of the comparable. In addition, the Cumberland work file contained no information concerning upgrades to the subject property that are indicated in the report and respondent had no interior photos for the subject property. With respect to Royal, respondent failed to mention the distressed condition of the subject property and failed to adjust for this condition.

5. With respect to Royal, respondent violated SR 1-3 of the USPAP which requires an appraiser to identify and analyze the effect on use and value of existing land use regulations, economic supply and demand, and market area trends. The report did not reflect that the subject property was a foreclosure sale being sold "AS IS" and that the comparable properties were estate or short sales.

6. With respect to Delancy and Royal, respondent violated SR 1-4(a) of the USPAP which requires an appraiser to verify and

analyze all information necessary for credible assignment results such as analyzing comparable sales data. With respect to Delancy, respondent included the income from the owner-occupied unit when he calculated the overall annual rent, despite a parenthetical notation in the report indicating that owner income should not be included. Respondent also failed to make an adjustment for one of the comparables being located on a busier street. With respect to Royal, respondent did not include in the report that this was a foreclosure sale and that two of the three comparables used were also distressed sales.

7. With respect to Royal, respondent violated SR 1-5(a) and (b) of the USPAP which requires an appraiser to analyze all current agreements of sale of the subject property and analyze all sales of the subject property that occurred within the three (3) years prior to the effective date of the appraisal. Although respondent provided the prior sales information, he failed to analyze why the current sale of the subject property was offered for almost half the value of the previous sale three years ago.

8. Respondent violated SR 2-1 of the USPAP which requires an appraiser to provide a report that (a) clearly and accurately sets forth the appraisal in a manner that will not be misleading and (b) contains sufficient information to enable the intended users of the appraisal to understand the report properly. With

respect to Cumberland, the report was misleading in that it did not reflect that the comparable had extensive improvements and upgrades and did not reflect that the subject property did not have similar upgrades. With respect to Royal, the report was misleading in that it did not reflect that the property was bank owned and subject to a foreclosure sale.

9. With respect to Cornwall and Cumberland, respondent violated SR 2-2(a) of the USPAP which requires an appraiser to provide a report that states the effective date of the appraisal and the date of the report in that there were discrepancies with regard to the exact date of the inspections and it was unclear if the inspection and report dates were the same.

10. With respect to Royal, respondent violated SR 2-3 of the USPAP which requires an appraiser to disclose in the certification to the appraisal report, the names of individuals providing significant real property appraisal assistance. Respondent utilized an apprentice's assistance in the appraisal of the property and the existence and identity of this individual were not disclosed in the certification to the report.

11. Respondent violated the Conduct Section of the Ethics Rule of the USPAP by communicating misleading reports.

12. Respondent violated the Competency Section of the Ethics Rule of the USPAP in that he had an apprentice accompany

him in his selection of comparables for the subject property at Royal since this individual was more familiar with the area than respondent.

13. Respondent violated the Record Keeping Section of the Ethics Rule in that the Cornwall report contains both February 22, 2008 and March 3, 2008 as the date of inspection, the reports provided by respondent for Delancy were not originals, and respondent admits that there is a discrepancy with regard to the inspection date for Cumberland, with no differentiation having been made between the date of inspection and the date of report.

14. Respondent included a state license number on reports for Cornwall and Delancy when he was working as an apprentice and not yet licensed, in violation of N.J.A.C. 13:40A-7.3(a)(4).

The Board concludes that, by failing to ensure that the subject property appraisals conformed to the requirements of the USPAP, respondent violated N.J.A.C. 13:40A-6.1 and has engaged in the use or employment of dishonesty, fraud, deception or misrepresentation, has engaged in gross negligence, has engaged in repeated acts of negligence, has engaged in professional misconduct, and has violated or failed to comply with the provisions of any act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(b), (c), (d), (e), and (h).

In order to resolve this matter without the need for further proceedings, and the Board being satisfied that good cause exists for the entry of the within Order,

IT IS on this 23rd day of January, ~~2012~~ 2013

ORDERED and AGREED:

1. Respondent's license to practice real estate appraising is hereby suspended for a period of two years, the first six months to be served as a period of active suspension effective January 1, 2013, and the remaining one year and six months to be stayed and served as a period of probation.

2. During the period of probation, respondent shall obey all the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of real estate appraising in the State or jurisdiction in which he practices real estate appraising.

3. Respondent is hereby assessed costs in the amount of three hundred four dollars and twenty-five cents (\$304.25) and civil penalties in the amount of five thousand dollars (\$5,000). Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to Charles F. Kirk, Acting Executive Director, New Jersey State Board of Real Estate Appraisers, P.O. Box 45032, Newark, New Jersey 07101. Payment shall be made no later than 15 days after

the date of filing of this Order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Respondent shall, within six months of the date of entry of this Order, provide proof to the Board that he has fully attended and successfully completed a 30 hour basic appraisal principles course and a 30 hour basic appraisal procedures course.

5. Respondent shall, within six months of the date of entry of this Order, provide proof to the Board that he has fully attended and successfully completed a 15 hour course in the Uniform Standards of Professional Appraisal Practice (USPAP).

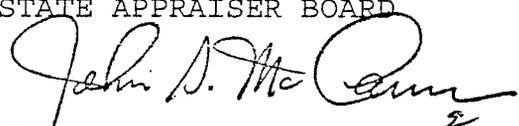
6. Respondent shall be required to secure pre-approval from the Board for any courses he proposes to take to satisfy the above course requirements. These courses shall be taken in a classroom setting (that is, the Board will not approve an "on-line" course). "Successfully complete" means that respondent shall pass any examinations given at the end of the courses and/or obtain passing grades at the completion of the courses. Respondent may not claim any continuing education credit for the completion of the courses herein required. These

courses shall be in addition to all continuing education required for license renewal.

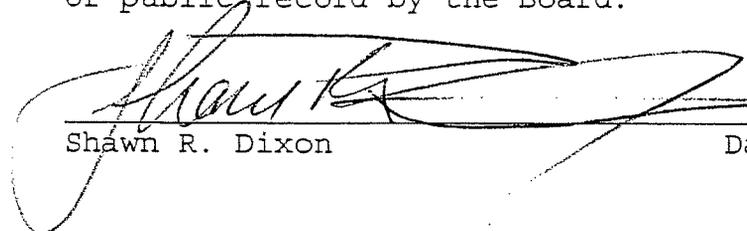
7. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that respondent has violated any term of this Order, respondent's license may be automatically suspended by the Board for the remaining period of probation. Respondent, upon reasonable notice, may request a hearing to contest the entry of such an Order. At any such hearing, the sole issue shall be whether any of the information received was materially false. In addition, the Board reserves the right to bring further disciplinary action upon receipt of any such new information.

NEW JERSEY STATE REAL
ESTATE APPRAISER BOARD

By:


JOHN A. MCCANN
Board President

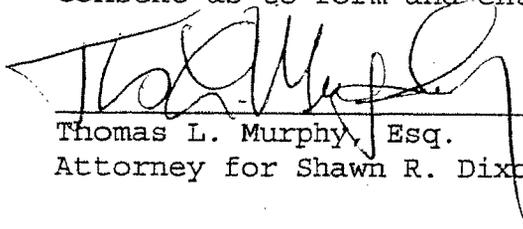
I acknowledge that I have read and considered this Order, and agree to the entry of the Order as a matter of public record by the Board.


Shawn R. Dixon

Date

01/14/2013

Consent as to form and entry of this Order.



Thomas L. Murphy, Esq. Date
Attorney for Shawn R. Dixon