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BEFORE THE ARIZONA STATE BOARD OF APPRAISAL

IN THE MATTER OF:  
  
**MICHAEL S. MASON,**  
**Certified Residential Appraiser**  
**No. 21238,**  
  
Respondent.

Complaint No. 2791  
  
**FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND ORDER OF REVOCATION**

On June 18, 2009, the above entitled matter came before the Arizona Board of Appraisal ("Board") for a formal hearing. Michael S. Mason ("Respondent") did not appear. The State was represented by Jeanne Galvin, Assistant Attorney General. The Board received independent legal advice from Christopher Munns, Assistant Attorney General from the Solicitor General's Office.

Based on the testimony and evidence presented by the State, the Board makes the following Findings of Fact and Conclusions of Law and enters the following Order of Revocation:

**FINDINGS OF FACT**

1. On March 12, 2008, in resolution of the above-captioned matter, Respondent voluntarily entered into a Consent Agreement and Order with the Board. Among other conditions, Respondent was required to successfully complete the following education within six (6) months of the effective date of the Agreement: Seven (7) hours of USPAP update, six (6) hours of mortgage fraud and a minimum of fourteen (14) hours in Sales Comparison Approach and/or market analysis/trends coursework. To date, Respondent has failed to complete any of the above stated education requirements.

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1           2. Paragraph 15 of the March 12, 2008 Consent Agreement and Order provides, in  
 2 part, that "Respondent" agrees that any violation of this Consent Agreement is a violation of  
 3 A.R.S. §32-3631(A)(8), which is willfully disregarding or violating any of the provisions of the  
 4 Board's Statutes or the rules of the Board for the administration and enforcement of its statutes.

5           3. Respondent, without good cause, has failed to comply with the terms of the  
 6 Consent Agreement and Order by failing to complete the education as required.

7    CONCLUSIONS OF LAW

8           4. Noncompliance with the Consent Agreement is a violation of a Board order and a  
 9 violation of A.R.S. § 32-3631(A)(8), which is a willful disregard of the statutes and rules  
 10 governing the licensing and certification of appraisers in the State of Arizona.

11           5. Pursuant to the authority of the Board found at A.R.S. § 32-3601 *et seq.*, the  
 12 conduct and circumstances described herein constitute grounds for discipline. The Board  
 13 considers the above referenced violation a Level V violation subject to revocation pursuant to  
 14 the Board's Substantive Policy Statement No. 1.

15    ORDER OF REVOCATION

16           In issuing this order of discipline, the Board considers its obligations to fairly and  
 17 consistently administer discipline, its burden to protect the public welfare and safety, as well as  
 18 all aggravating and mitigating factors presented in the case. Based on the foregoing Findings of  
 19 Fact and Conclusions of Law, **IT IS HEREBY ORDERED:**

- 20           1. That certified residential appraiser license No. 21238 issued to Respondent to  
 21 practice as a Certified Real Estate Appraiser be revoked as of the effective date of this Order.
- 22           2. That Respondent shall immediately surrender his license by returning it to the  
 23 Board office.

1           3.       That Respondent may not accept fees for or perform appraisals, appraisal  
2 reviews, consulting assignments, or any services governed by the Uniform Standards of  
3 Professional Appraisal Practice, A.R.S. § 32-3601, *et seq.*, or the rules promulgated thereunder.

4           4.       That Respondent is hereafter subject to the provisions of A.R.S. § 32-3638,  
5 which states that any person who is not licensed or certified as an appraiser and performs a real  
6 estate appraisal or appraisal review, or uses the designation of licensed or certified appraiser  
7 and/or provides false information to the Board is guilty of a Class 1 misdemeanor.

8           5.       That if Respondent reapplies for licensing or certification as an appraiser in the  
9 State of Arizona in the future, this disciplinary action may be considered as part of the  
10 substantive review of any application submitted by Respondent, pursuant to A.R.S. § 32-  
11 3611(D).

12           6.       Pursuant to the Board's Substantive Policy Statement #1, the Board considers  
13 the violations set forth herein to amount to Level V Violations for disciplinary purposes.

14                               **RIGHT TO PETITION FOR REHEARING OR REVIEW**

15           Respondent is hereby notified that he has the right to petition for a rehearing or review.  
16 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing or review must be filed  
17 with the Board's Executive Director within 30 days after service of this Order and pursuant to  
18 A.A.C. R4-46-303, it must set forth legally sufficient reasons for granting a rehearing or review.  
19 Service of this order is effective five days after mailing. If a motion for rehearing or review is not  
20 filed, the Board's Order becomes effective 35 days after it is mailed to Respondent.

21           Respondent is further notified that the filing of a motion for rehearing or review is  
22 required to preserve any rights of appeal to the Superior Court.

23           DATED this 24th day of June, 2009.

24                               ARIZONA STATE BOARD OF APPRAISAL

25           By: Deborah G. Pearson  
26                               Deborah G. Pearson, Executive Director

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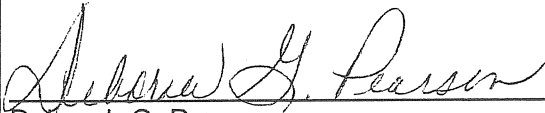
Copy of the foregoing mailed via U.S. regular and  
U.S. Certified Mail #7008 1140 0004 9529 4781  
this 24th day of June, 2009, to:

MICHAEL S. MASON  
2636 N. 63RD ST.  
MESA, AZ 85215

Copies of the foregoing sent by interagency  
this 24th day of June, 2009, to:

JEANNE GALVIN  
ASSISTANT ATTORNEY GENERAL  
1275 W. WASHINGTON  
PHOENIX, AZ 85007

CHRISTOPHER MUNNS  
ASSISTANT ATTORNEYS GENERAL  
SOLICITOR GENERAL'S OFFICE  
1275 W. WASHINGTON  
PHOENIX, AZ 85007

  
Deborah G. Pearson