FILED
JUL 14 2022
NEVADA COMMISSION OF APPRAISERS
Kelly Valadez

REAL ESTATE DIVISION,

DEPARTMENT OF BUSINESS AND INDUSTRY,

STATE OF NEVADA -CORRECTED

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SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA, Petitioner, vs. BRIAN J. CHRISTIE A.0003038-CR Respondent.	**STIPULATION FOR SETTLEMENT OF DISCIPLINARY ACTION PURSUANT TO NAC 645C.610 (3)** Case No. 2020-311, AP20.035.S

STIPULATION FOR SETTLEMENT OF DISCIPLINARY ACTION PURSUANT TO NAC 645C.610 (3)

1. **PARTIES.** This Stipulation is entered into by and between the Petitioner, the REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE OF NEVADA (the "Division"), by and through its Administrator, SHARATH CHANDRA (the "Administrator"), and the Respondent, BRIAN J. CHRISTIE (whether one or more hereinafter the "Respondent"), who at relevant time was licensed by the State of Nevada, license number(s) A.0003038-CR. This Stipulation is entered into upon mutual agreement with the decision of the Appraisal Advisory Review Committee (the "AARC"), which was reached at its informal conference held on April 19, 2022, virtually via Webex. Members of the AARC present were Anthony Wren, Chairperson, Timothy Morse and Terence Farr.

2. **AUTHORITY OF THE APPRAISAL ADVISORY REVIEW COMMITTEE.** The Appraisal Advisory Review Committee has authority to enter into this Stipulation with the Respondent pursuant to NAC 645C.610 (3).

3. **FINDINGS.** The AARC has found that the Respondent, while licensed, certified or registered as a Nevada Appraiser, committed violations of chapter 645C of Nevada Revised Statutes and Nevada Administrative Code and/or USPAP. A description of the conduct in which these

violations were committed is set forth in specificity in the Summary of Facts which is attached hereto as EXHIBIT "A". The Administrator has the authority, pursuant to NAC 645C.600 (2), to establish an advisory committee in an attempt to review this matter informally and recommend a resolution.

4. **NO ADMISSION OF GUILT.** The Respondent does not admit or deny the findings of the AARC, choosing to remain silent, but does agree that the findings establish a prima facie case for the discipline set forth below and stipulates, subject to the limitations and conditions set forth below, that the Division shall not be required to provide further evidence of such allegations.

5. **SETTLEMENT FOR DISCIPLINARY ACTION.** As set forth above, the AARC is authorized under NAC 645C.610 to impose an administrative fine, upon final approval by the Commission. The Division also has the option to file a complaint with the Nevada Commission of Appraisers of Real Estate (the "Commission"). The Commission has the authority pursuant to NRS 645C.460(2)(d) to impose a fine of up to $10,000 for each violation alleged or to suspend or revoke the Respondent's certificate, license or registration card. The parties, however, desire to compromise and settle the instant controversy, without a hearing, upon the following terms and conditions:

AARC Committee Recommendations

Not less than a 4-hour course in Appraiser Self Protection and Record Keeping
Not less than a 15-hour course in Residential Report Writing and Case Studies
Not less than a 15-hour course in USPAP

For a total of not less than 34 hours of continued education to be completed within 1 year of the Appraisal President signing the stipulated agreement, none of the above listed education will count towards license renewal.

Once all education is completed and within in 1 year, the respondent will supply the Real Estate Division with 2 months of Appraisal logs, the Division will select random appraisals for USPAP review. This will be done once, unless the Division finds additional issues with the appraisals reviewed.

b. Public Record. RESPONDENT and the DIVISION agree that by entering into this Stipulation, the DIVISION does not concede any defense or mitigation RESPONDENT may assert, and the parties agree that the DIVISION will not publicize the instant disciplinary matter, except as set forth below, and that once this Stipulation is approved and fully performed, the DIVISION will close its file in this matter. RESPONDENT understands that the public records law may require the DIVISION to make available for inspection this Stipulation and related documents. RESPONDENT also understands that the DIVISION may share the content of this Stipulation and related documents with any governmental or professional organization or member of the public;

c. Newsletter. RESPONDENT and the DIVISION agree that the DIVISION, at its discretion, may publish in the newsletter an anonymous summary of the alleged offenses of RESPONDENT and the terms of this Stipulation, with the understanding of all parties that such publication will not specifically name RESPONDENT or make reference to any other party; RESPONDENT will be referred to only as a licensee in the State of Nevada. It is further understood by the parties that this publication is for educational purposes only and to advise other licensees of the alleged violation(s) and that disciplinary action has been taken by the DIVISION;

d. Failure to perform, hearing on complaint.

RESPONDENT agrees that if the required education is not completed in the time allowed above, RESPONDENT'S license will be automatically suspended until such time as the fine is paid and continuing education requirement satisfied. The DIVISION may, at its option, rescind this Stipulation and proceed with filing a Complaint before the Commission. Further, recovery actions for the administrative fines may be instituted by the DIVISION;

e. No other remedies. Assuming Respondent complies with the terms of this stipulation, the Division agrees not to pursue any other or greater remedies or fines in connection with the conduct referenced in above unless stipulation is rescinded.

f. Waiver by Respondent. RESPONDENT agrees and understands that by entering into this Stipulation, RESPONDENT is waiving his/her right to a hearing at which RESPONDENT may present evidence in his/her defense and to be represented by counsel, to judicial review of any adverse decision by the Commission, and to present his/her defense to a Commission which has had no prior familiarity with the instant matter. The Commission members who review this matter for approval of this Stipulation may be the same members who ultimately hear the

DIVISION'S complaint if this Stipulation is either not approved by the Commission or is not timely performed by RESPONDENT; and

g. Attorney fees and other costs. Each party shall bear its own attorney's fees and other costs not specifically set forth in this Stipulation.

6. RELEASE. In consideration of execution of this Stipulation, the Respondent for himself/herself or his/her heirs, executors, administrators, successors, and assigns, hereby release, remiss, and forever discharge the State of Nevada, the Department of Business and Industry of the State of Nevada, the Division, and each of their members, agents, and employees in their individual and representative capacities, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known and unknown, in law or equity, that the Respondents ever had, now has, may have, or claims to have against any or all of the persons or entities named in this section, arising out of or by reason of the Division's investigation, this disciplinary action, or any other matter relating thereto.

7. INDEMNIFICATION. Respondent hereby indemnifies and holds harmless the State of Nevada, the Department of Business and Industry of the State of Nevada, the Division, and each of their members, agents, and employees in their individual and representative capacities against any and all claims, suits, and actions brought against said persons and/or entities by reason of the investigation of the allegations in the Complaint, this disciplinary action and all other matters relating thereto, and against any and all expenses, damages, and costs, including court costs and attorney fees, which may be sustained by the persons and/or entities named in this section as a result of said claims, suits, and actions.

8. COMMISSION APPROVAL OF STIPULATION NECESSARY.

Once executed, this Stipulation will be filed with the Commission and will be put on the agenda for approval at its meeting, which by Nevada law is a public meeting. At that time, the DIVISION will recommend to the Commission approval of the Stipulation. RESPONDENT acknowledges and agrees that the Commission may approve this Stipulation, reject it, or suggest different terms which must be communicated to RESPONDENT and accepted or rejected by RESPONDENT before any such amendment shall become effective.

9. SETTLEMENT DISCUSSIONS NOT EVIDENCE. Any statements made during the discussions leading up to this Stipulation may not be discussed or introduced into evidence at any hearing. However, evidence of the Respondent's failure to abide by the terms of any Stipulation

entered into with the Division, may be introduced at a hearing and used against the Respondent.

10. STIPULATION IS NOT A BAR TO FUTURE PROCEEDINGS. This Stipulation shall not constitute an estoppel, merger or bar to any administrative or civil proceeding by the Division with respect to any future matters or other matters that were not consideration for this Stipulation.

SO STIPULATED.

Dated: 06/24/2022

REAL ESTATE DIVISION, Department of Business and Industry, State of Nevada

By: _____
Sharath Chandra
Administrator

Dated: 6-13-2022

_____
Respondent

ORDER

The foregoing Stipulation was approved by a vote of the Nevada Commission of Appraisers of Real Estate on.

DATED this 12th day of July, 2022.

NEVADA COMMISSION OF APPRAISERS OF REAL ESTATE

_____
Appraisal Commission President

Exhibit A
Brian J. Christie 2020-311, AP20.035.S

Violation found:

Records Keeping Rule
Standards Rule 1-6(a)
Standards Rule 2-2(a)(x)

USPAP Standards:

RECORD KEEPING RULE

An appraiser must prepare a work file for each appraisal or appraisal review assignment. A work file must be in existence prior to the issuance of any report or other communication of assignment results. A written summary of an oral report must be added to the work file within a reasonable time after the issuance of the oral report.

The work file must include:

true copies of all written reports, documented on any type of media. (A true copy is a replica of the report transmitted to the client. A photocopy or an electronic copy of the entire report transmitted to the client satisfies the requirement of a true copy.);

all other data, information, and documentation necessary to support the appraiser's opinions and conclusions and to show compliance with USPAP, or references to the location(s) of such other data, information, and documentation.

STANDARDS RULE 1-6, RECONCILIATION

In developing a real property appraisal, an appraiser must:

(a) reconcile the quality and quantity of data available and analyzed within the approaches used;

STANDARDS RULE 2-2, CONTENT OF A REAL PROPERTY APPRAISAL REPORT

Each written real property appraisal report must be prepared under one of the following options and prominently state which option is used: Appraisal Report or Restricted Appraisal Report.

(a) The content of an Appraisal Report must be appropriate for the intended use of the appraisal and, at a minimum:

(x) provide sufficient information to indicate that the appraiser complied with the requirements of STANDARD 1 by:

(1) summarizing the appraisal methods and techniques employed;

(2) stating the reasons for excluding the sales comparison, cost, or income approach(es) if any have not been developed;

(3) summarizing the results of analyzing the subject sales, agreements of sale, options, and listings in accordance with Standards Rule 1-5;

Comment: If such information is unobtainable, a statement on the efforts undertaken by the appraiser to obtain the information is required. If such information is irrelevant, a statement acknowledging the existence of the information and citing its lack of relevance is required.

(4) stating the value opinion(s) and conclusion(s); and

(5) summarizing the information analyzed and the reasoning that supports the analyses, opinions, and conclusions, including reconciliation of the data and approaches

EDUCATION RECOMMENDATIONS:

Not less than a 4-hour course in Appraiser Self Protection
Not less than a 15-hour Residential Report Writing
Not Less than a 15 USPAP course

For a total of not less than 38 hours of continued education to be completed within 1 year of the Appraisal President signing the stipulated agreement, none of the above listed education will count towards license renewal.

Once all education is completed and within in 1 year, the respondent will supply the Real Estate Division with 2 months of Appraisal logs, the Division will select random appraisals for USPAP review. This will be done once, unless the Division finds additional issues with the appraisals reviewed.

Supplemental Addendum

File No.

Borrower					
Property Address	State Of Nevada				
City		County CLARK	State NV	Zip Code	
Lender/Client					

RE:CASE NO 2020-311 ,AP20.035.S

Here is the signed agreement for the complaint filed against me although i do not agree with the findings. I was accused of committing errors within the report that i was able to disprove in the AARC informal conference. Despite the 3 members agreeing that most of the errors filed against me were false, the members concluded that different errors were made in the report that i was not prepared to contest. I had Cov Id the entire months of January and february this year and then had 2 teeth pulled just before the AARC meeting. I was not prepared for questions outside the compliant filed against me. I was given 2 minutes to explain an adjustment I made two years ago when it typically takes me 2 hours to determine such an adjustment when working on a file. I was also told prior to the meeting that I would not be required to take overlapping classes if the members of the AARC determined that errors were made. The only error that I could not disprove was using the word parkway instead of street in the boundaries for Horizon street to the west. The members all agreed that all other errors filed against me were false. I would agree that my report may have lacked enough details in the conclusion; however my work file clearly had the supporting comments required as the report only requires a summary of the conclusion.

I am accepting the agreement because I did anything wrong. I am accepting the agreement because I can not afford the fine. I have to take USPAP classes before August of this year; yet I am told I have to take an additional 15 hours of USPAP when i was told there would be no overlapping classes. The total amount of classes seems excessive based on my communication with your department prior to the accepting the AARC informal conference but I am left with no choice but to accept the outcome. I do feel that I was mislead on the amount of potential classes and it is my opinion that the only class i should have been required to take was for insufficient work file. I respectfully request that you reconsider the amount of classes as I could not have committed the stated USPAP errors when the members of the AARC agreed that the compliant filed against me were not valid and that the review appraiser that the State of Nevada hired made numerous errors in their report.

Thank you,

Brian Christie-0003038-CR

6-13-2022

Signature				Signature	
Name	Brian Christie			Name	
Date Signed				Date Signed	
State Certification #	A.0003038-CR	State	NV	State Certification #	State
Or State License #		State		Or State License #	State