

**BEFORE THE NEW MEXICO REAL ESTATE APPRAISERS BOARD
FOR THE STATE OF NEW MEXICO**

IN THE MATTER OF:

**LORETTA QUINTANA
RESIDENTIAL CERTIFIED APPRAISER,
LICENSE NO. 177-R**

CASE: #15, 08-07-07

RESPONDENT.


DEFAULT ORDER

This matter having come before the New Mexico Real Estate Appraisers Board on December 7, 2012 with a quorum present and a majority voting in the affirmative the Board finds as follows:

1. A notice of Contemplated Action (NCA) was served upon Respondent in accordance with the Uniform Licensing Act (ULA), Section 61-1-1 to 61-1-33 NMSA 1978.
2. Following a hearing on the allegations within the NCA, the Board issued a final Decision and Order on December 6, 2010.
3. The Decision and Order was served upon Respondent in accordance with the Uniform Licensing Act (ULA), Section 61-1-1 to 61-1-33 NMSA 1978.
4. Pursuant to the directives within the Decision and Order, Respondent was required to have, one (1) year suspension, successfully complete two (2) basic Residential Appraisal courses, and pay a fine of \$1,500.00.
5. Respondent has failed to comply with the requirements of the aforementioned Decision and Order.
6. As such, the Board unanimously voted in open session to revoke the license of the Respondent.

IT IS THEREFORE ORDERED

12.07.2012
Date


Chairperson
New Mexico Real Estate Appraisers Board

CERTIFIED MAIL NO. 70W078000259289998
RETURN RECEIPT REQUESTED

**BEFORE THE REAL ESTATE APPRAISERS BOARD
FOR THE STATE OF NEW MEXICO**

In the Matter of:

LORETTA QUINTANA,

License Number: 177-R,

Respondent.

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Case No. 15, 08-07-07

NOTICE OF CONTEMPLATED ACTION

1. Respondent, Loretta Quintana, is licensed under the Real Estate Appraisers Act, NMSA 1978, Section 61-30-1 *et seq.*, and, as such, is subject to the jurisdiction of the New Mexico Real Estate Appraisers Board (hereafter "Board").

2. The Board has sufficient evidence, which if not rebutted or explained, will justify the Board in suspending or revoking or taking other action against Respondent's license pursuant to NMSA 1978, Section 61-30-15, imposing costs and a fine pursuant to Section 61-1-3(L) and 61-1-4(G), NMSA 1978, and ordering a refund to the consumer pursuant to Section 61-1-3(N).

3. The general nature of the evidence is contained in the Complaint, dated July 2, 2008 that has been previously provided to the Respondent and the appraisal prepared by the Respondent dated January 15, 2007 with Respondent's date of signature and report being January 22, 2008. By way of summary only, the Respondent's appraisal completed on 15 Abajo Ct., Edgewood, NM was not sufficiently supported by the market data used in the report. The appraisal includes a selection and use of unnecessary and inappropriate comparable sales from a grossly expanded area as well as inappropriate adjustments in order to arrive at the appraised value. The value is unsupported and grossly overstated. Respondent was careless and negligent by unnecessarily expanding the market

area and omitting the use of readily available, suitable sales in subjects immediate market area (specifically, the greater Edgewood area). Respondent failed to correctly employ the basic rule of substitution. Respondent was also careless in date the appraisal on January 15, 2007, yet signing it January 22, 2008.

4. The services performed by Respondent in connection with the subject appraisal violated Section 61-30-15 B (1) (2) and (3) NMSA; and in violation of the Competency Rule, violation of the Ethics Rule and Standards Rules, Standard 1-1 (a), (b) and (c), 1-4, 1-5, 2-1 (a), (b) and (c) of the Uniform Standards of Professional Appraisal Practice.

5. **Unless the Respondent, within twenty (20) days after service of this Notice of Contemplated Action, deposits in the mail a certified return receipt requested letter, addressed to the Board at the address below and containing a request for hearing, the Board will take the contemplated action.**

6. The formal hearing, if requested, will be conducted pursuant to the New Mexico Uniform Licensing Act, NMSA 1978, Sections 61-1-1 et seq.

Pursuant to Section 61-1-8, the Respondent/Licensee is specifically advised as follows:

A. A person entitled to be heard under the Uniform Licensing Act [61-1-1 to 61-1-31 NMSA 1978] shall have the right to be represented by counsel or by a licensed member of his own profession or occupation, or both; to present all relevant evidence by means of witnesses and books, papers, documents and other evidence; to examine all opposing witnesses who appear on any matter relevant to the issues; and to have subpoenas and subpoenas duces tecum issued as of right prior to commencement of the hearing to compel discovery and the attendance of witnesses and the production of relevant books, papers, documents and other evidence upon making written request therefor to the board or hearing officer. The issuance of such subpoenas after the commencement of the hearing rests in the discretion of the board or the hearing officer. All notice issued pursuant to Section 61-1-4 NMSA 1978 shall contain a statement of these rights.

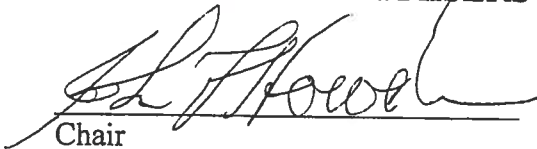
B. Upon written request to another party, any party is entitled to:

- (1) obtain the names and addresses of witnesses who will or may be called by the other party to testify at the hearing; and
- (2) inspect and copy any documents or items which the other party will or may introduce in evidence at the hearing.

The party to whom such a request is made shall comply with it within ten days after the mailing or delivery of the request. No request shall be made less than fifteen days before the hearing.

- C. Any party may take depositions after service of notice in accordance with the Rules of Civil Procedure for the District Courts. Depositions may be used as in proceedings governed by those rules.

THE STATE OF NEW MEXICO
REAL ESTATE APPRAISERS BOARD



Chair
Real Estate Appraisers Board
P.O. Box 25101
Santa Fe, New Mexico 87504

Approved as to form:

S/David Tourek
David Tourek
Administrative Prosecutor
111 Lomas Blvd NW Ste. 300
Albuquerque NM 87109

COPY

CERTIFICATE OF SERVICE BY CERTIFIED MAIL

Return Receipt Request No: 7008 1830 0002 8736 8047

I, Delorza Trujillo, do hereby certify that I mailed a true and correct copy of the above provided Notice of Contemplated Action in Case No. 15,08-07-07 before the State of New Mexico Real Estate Appraisers Board to the Respondent/Licensee at his/her last know address of record, as shown by the records of the Real Estate Appraisers Board this 29th day of June, 2009.

Delorza Trujillo
Print the Name of Individual Certifying Service
Compliance Liaison
Title/Organization
Delorza Trujillo
Signature

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
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OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		

Sent To
Street, Apt. # or PO Box No.
City, State, Z

Ms. Loretta J. Quintana
PO Box 294
Tijeras, New Mexico 87059

PS Form 3800 Instructions

7008 1830 0002 8736 8047

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Loretta J. Quintana
PO Box 294
Tijeras, New Mexico 87059

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Loretta J. Quintana Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery _____

D. Is delivery address different from item 1? Yes No
(If Yes, enter delivery address below: _____)

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

RECEIVED
JUL 20 2010

COPY

7008 1830 0002 8736 8047