

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

**IN THE MATTER OF:**

**JAMES M. BAGGERLY  
License number: 726-R**

**Case No. 29, 11-07-18**

**Respondent.**

**STIPULATED AGREEMENT**

WHEREAS, the State of New Mexico Real Estate Appraisers Board (“Board”) has received a complaints dated July 11, 2011, stating that the Respondent violated various sections of USPAP and New Mexico Real Estate Appraisers Statutes and Regulations; and

WHEREAS, on November 4, 2011, the Board found sufficient reason to unanimously vote to issue a Notice of Contemplated Actions (“NCA”), against licensee, James M. Baggerly; and

WHEREAS, the parties wish to resolve this matter in an amicable fashion without the need for the issuance of an NCA under the Uniform Licensing Act, and without the need for a formal hearing; and

WHEREAS the Board believes that this Stipulated Agreement to (“Agreement”) is appropriate and in the best interests of both the Board and Respondent,

THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

1. Jurisdiction. The Respondent at all times relevant to these proceedings was a licensee of the Board. The Board has jurisdiction over the Respondent and the subject matter.
2. Violations. The Respondent acknowledges that this disciplinary action is for the following conduct:
  - A. Failure to comply with the provisions of USPAP Scope of Work, Standard Rule 1-1(a)(b)(c), 1-4(b), 1-6(a)(b) and Ethics Rule.
3. Discipline. This Agreement constitutes disciplinary action by the Board against the Respondent.

A. The complaints and this Agreement shall be reported to the Appraisers Subcommittee (ASC) National Registry as discipline action against licensee.

4. The Board shall take no further action against Respondent with respect to the matters in the subject case, provided that Respondent complies with the following:

A. Respondent shall take and successfully complete a fifteen hour Report Writing Course with a test; a seven hour course in Cost Approach; and a seven hour course in Sales Comparison all to be completed within 6 months of the Board's approval of this Agreement. These continuing education courses must be selected from the Board's approved courses which are on the Board's Website and may be taken online and shall not be used towards continuing education requirements.

5. Waiver of rights.

A. Respondent has waived all the time limitations set forth in the Uniform Licensing Act.

B. Respondent understands that he has a statutory right to a hearing on the charges made in the complaint against him and that he would have the right to appeal any decision of the Board following such hearings; and he hereby waives these rights.

C. Respondent waives his right to assert a claim of bias or move to excuse any Board member based upon the Board member's consideration of this Agreement.

D. Respondent's waiver of any rights contained herein is made knowingly, intentionally, and voluntarily.

6. Respondent has the right to be represented by an attorney.

7. Respondent's execution of this Agreement is made knowingly, intentionally, and voluntarily.

8. Upon execution of this Agreement, Respondent releases the Board from any and all claims arising out of the Board's decision to investigate the complaint, file Notices of Contemplated Actions, and take the actions described herein.

9. This Agreement is subject to Board approval.

10. This Agreement is binding upon the Board and the Respondent.


11. Failure to comply with the terms and conditions of this Agreement shall be separate and independent grounds for disciplinary action by the Board. In the event the Respondent fails to comply with the provisions hereof, the Board shall have the right to take such action against Respondent as it deems appropriate under the circumstances, including revoking Respondent's license.


12. This Agreement is a settlement of Board case number 29, 11-07-18, and only the specific allegations contained therein. The board reserves the right to initiate proceedings for any other violations of the New Mexico Real Estate Appraisers Practice Act or the Rules and Regulations of the Board adopted pursuant to that act.

13. The complaint and this Agreement are public records within the meaning of the Inspection of Public Records Act, NMSA 1978, § 14-2-6(E). Other data, communications, and information acquired by the Board relating to this matter shall be public as provided by the New Mexico Real Estate Appraisers Practice Act.

**IT IS THEREFORE SO ORDERED.**

Signed this 21 day of February, 2012.  
State of New Mexico Real Estate Appraisers Board

  
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Board Chairperson  
New Mexico Real Estate Appraisers Board  
2550 Cerrillos Road  
Santa Fe, NM 87505

  
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James M. Baggerly                      01-25-2012  
Date