

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

IN THE MATTER OF:)	
)	
RICHARD CHRISTNER)	Case Nos. 22, 11-06-06
License number: 02765-R)	32, 11-09-09
)	
Respondent.)	

SETTLEMENT AGREEMENT

WHEREAS, the State of New Mexico Real Estate Appraisers Board (“Board”) received complaints on June 6, 2011 and on August 9, 2011, stating that Richard Christner, (“Respondent”) violated the New Mexico Real Estate Appraisers Statutes and Regulations and various sections of USPAP Rules; and

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

WHEREAS, On April 16, 2012, the New Mexico Real Estate Appraisers Board issued Notices of Contemplated Act to Respondent in these matters for alleged violations of the New Mexico Real Estate Appraisers Act, NMSA 1978, §61-30-1 through §61-30-24 (2011) and provisions of USPAP rules; and

WHEREAS, the parties wish to resolve these matters in an amicable fashion without the need for a formal hearing and the time and expense involved in such a hearing.

**NOW THEREFORE, THE PARTIES STIPULATE AND AGREE AS
FOLLOWS:**

1. **Jurisdiction.** Respondent is licensed under the New Mexico Real Estate Appraisers Act, NMSA 1978, §61-30-1 through §61-30-24 (2011) and is therefore subject to the jurisdiction of the New Mexico Real Estate Appraisers Board (“Board”). The Board has jurisdiction over the Respondent and the subject matter.

2. **Violations.** Respondent acknowledges that this disciplinary action is for the following conduct:

A. Violations of the New Mexico Real Estate Appraisers Act, NMSA 1978, § 61-30-15 (A) (5), NMSA 1978, §61-30-15 (A) (6), NMSA 1978, §61-30-15 (A) (9), NMSA 1978, §61-30-15 (B) (1), NMSA 1978, §61-30-15 (B) (2), NMSA 1978, §61-30-15 (B) (3) and NMSA 1978, §61-30-15 (C). Additionally, failure to comply with the provisions of USPAP including the Competency Rule, Ethics Rule, Scope of Work Rule, Standard Rule 2-2 and Regulation 16.62.1.12 (A) NMAC (08/21/2010) as to supervising a trainee.

3. Respondent does not contest the violations of the New Mexico Real Estate Appraiser’s Act and the Board Rules and Regulations as alleged in the Notice of Contemplated Action.

4. This Settlement Agreement is subject to approval by the Board. If this agreement is rejected by the Board, this matter will be set for hearing on the merits at a time, date and place to be determined by the Board. If the Board rejects this Agreement,

the terms of this Agreement shall **not** be used against Respondent in any future hearing before the Board.

5. **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.

6. As a means of amicably resolving these matters and if the Board accepts this Agreement, Respondent agrees to the following disciplinary actions:

A. Respondent shall surrender his Appraisers license to the Board within thirty (30) days of the date the Board approves this Agreement and the license shall be considered revoked.

B. If Respondent re-applies for a New Mexico Real Estate Appraiser license he must satisfy all applicable requirements and guidelines for the granting of an initial new license.

C. If Respondent re-applies for a New Mexico Real Estate Appraiser license, in addition to all other requirements, he shall pay a fine in the amount of ten thousand Dollars (\$10,000.00), prior to any re-issuance of his Appraiser license.

7. **Waivers.** Respondent acknowledges, agrees and stipulates to the following waivers:

A. Respondent enters into this Settlement Agreement voluntarily and waives his right to have these matters heard in the manner described in the manner described in the New Mexico Uniform

Licensing Act, (“ULA”), NMSA 1978, §61-1-1 through §61-1-33 (2003), including the right to a full evidentiary hearing on the charges as explained in the NCA , the right to confront and cross-examine witnesses, and the right to appeal any decision of the Board following such a hearing.

- B. Respondent waives all rights to have this matter heard within the time frame established by the ULA in order for the Board to consider this Settlement Agreement.
- 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.

8. Respondent acknowledges that he has the right to be represented by an attorney.

9. 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.

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

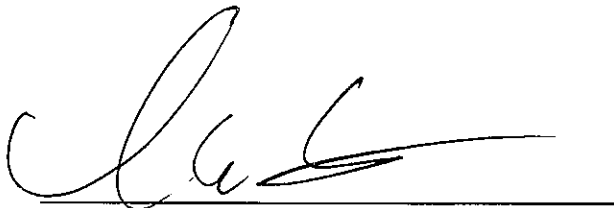
11. This Agreement is a settlement of Board case numbers 22, 11-06-06 and 32, 11-09-09. This Agreement pertains only to the specific allegations contained therein.

12. 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.

13. If Respondent complies with all the terms of this Settlement Agreement, this matter is concluded and resolved.

14. Respondent acknowledges that he has read this entire document and that he has knowingly, intentionally, and voluntarily executed this Settlement Agreement.



Richard Christner
Respondent
3368 Browns Valley Road
Napa, California 94558
(505) 920-6603

6/01/12
Date

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

IN THE MATTER OF:)

RICHARD CHRISTNER)
License number: 02765-R)

Respondent.)

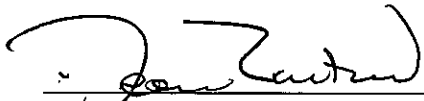
Case Nos. 22, 11-06-06
32, 11-09-09

ORDER

This matter having come before the New Mexico Real Estate Appraisers Board on 6/18/12
_____, 2012 and with a quorum being present and a majority voting for the action designated
below, this Settlement Agreement is:

Accepted

Rejected



Dean Zantow, Chairperson
New Mexico Real Estate Appraisers Board
P.O. Box 25101
Santa Fe, New Mexico 87505
(505) 476-4622

6/18/12

Date

Richard Christner
336 Browns Valley Road
Napa, Ca 94558
505-920-6603 / 707-927-3750

New Mexico Real Estate Appraisers Board
P.O. Box 25101
Santa Fe, NM 87505
Attn: Dean Zantow, Chairperson and Board Members

RE: Case Nos. 22, 11-06-06
22, 11-09-09

Dear Sirs,

I wanted to include a personal letter with my signed agreement regarding the cases noted above.

I realize I violated USPAP by using my apprentice to inspect two properties which at the time I did not think it was a violation. I had been working at moving permanently to California and traveling back and forth doing work in NM while setting up a home out there. I had been working the whole time towards getting my license transferred to California so I could provide for my family with my job.

While I completely understand the seriousness of my error(s), I feel the board's sentence was very excessive. I have no choice but to surrender my license and my livelihood. This has thrown me and my family into extremely difficult times and has me working 2 jobs 7 days a week to keep food on the table and very little time to spend with my young kids.

I would never have thought a mistake on my part would cause me such dire consequences and wanted to convey my apologies to the board for my oversights. I was very proud of the accomplishment of being a real estate appraiser. My family and I are devastated by the loss of my career.

Respectfully,

A handwritten signature in black ink, appearing to read 'Richard Christner', with a long horizontal line extending to the right.

Richard Christner