

STATE OF MAINE  
BOARD OF REAL ESTATE APPRAISERS

IN RE: )  
 )  
 PEGGY A. COLLINS ) CONSENT AGREEMENT  
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 COMPLAINT NO. 2006-REA-2759 )

INTRODUCTION

This document is a Consent Agreement regarding disciplinary action against the license of Peggy A. Collins (“Ms. Collins”) to practice real estate appraisal in the State of Maine. The parties to this Consent Agreement are: Ms. Collins, the State of Maine Board of Real Estate Appraisers (“the Board”) and the Office of the Attorney General (“the Attorney General”). This Consent Agreement is entered into pursuant to 32 M.R.S.A. § 14014 and 10 M.R.S.A. § 8003(5).

FACTS

1. Ms. Collins is licensed as a real property appraiser, license no. AP2391.
2. At all times relevant to this matter, Ms. Collins was employed as an appraiser by Thibodeau Appraisal Company in Exeter, Maine.
3. On or about June 5, 2006, the Board received a complaint that Ms. Collins had signed an appraisal report without having performed an appraisal of the property.
4. Specifically, on or about June 2, 2006, Ms. Collins signed an appraisal report on the property located at 314 Hopper Road in Acton, Maine for Residential Mortgage Services (“RMS”). A copy of this appraisal report is attached hereto as Exhibit A.

5. Ms. Collins, however, had not prepared the appraisal report and had done only an exterior inspection of the property on or about May 28, 2006.
6. Another appraiser at Thibodeau Appraisal Company had performed the appraisal and prepared the appraisal report on or about April 18, 2006.
7. Ms. Collins signed the appraisal report and submitted it to RMS so that RMS would think she had performed the appraisal and not be aware of the other appraiser's involvement in the appraisal.
8. The appraisal report contains the following statement: "Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$197,000 as of 04/18/2006."
9. Nowhere in the report does Ms. Collins note the involvement of the other appraiser.
10. In signing the appraisal report, Ms. Collins certified to the following statements:
  - a. "The statements of fact contained in this report are true and correct."
  - b. "I have made a personal inspection of the property that is the subject of this report."
  - c. "No one provided significant professional assistance to the person signing this report. (If there are exceptions, the name of each individual providing significant professional assistance must be stated.)"
11. At a meeting of the Board on January 9, 2007, the Board voted to set this matter for hearing and to offer Ms. Collins this Consent Agreement to resolve this complaint in lieu of going to hearing.

12. Absent acceptance of this Consent Agreement by Ms. Collins by signing and dating it and returning it to Cathy Neumann, Complaint Coordinator, 35 State House Station, Augusta, Maine 04333-0035 by January 31, 2007, the Board will resolve this matter by holding an adjudicatory hearing.

#### COVENANTS

13. With respect to the facts stated in paragraphs 1 through 10 above, Ms. Collins admits that she violated 32 M.R.S.A. §§ 14014(1)(B) and admits that such conduct constitutes grounds for discipline.

14. As discipline for the conduct admitted in paragraph 13 above, Ms. Collins agrees to accept the following DISCIPLINARY ACTION:

- a. A REPRIMAND;
- b. The IMMEDIATE SURRENDER of her license which shall be accomplished by enclosing her license with the signed Consent Agreement; and
- c. A RESTRICTION AGAINST APPLYING FOR RELICENSURE with the Board for a period of five (5) years from the date of final execution of this Consent Agreement.

15. Violation of any of the terms or conditions of this Consent Agreement shall constitute grounds for further discipline, including modification, suspension or revocation of licensure, the denial of re-licensure, and the imposition of civil penalties.

16. Pursuant to 10 M.R.S.A. § 8003(5)(B) the Board and Ms. Collins agree that in the event that Ms. Collins violates any of the terms or conditions of this Consent Agreement, the Board may suspend, revoke, or modify her license, deny her re-licensure, or impose civil penalties.

17. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.
18. The Board and the Attorney General shall have access to Ms. Collins's practice records relating to this Consent Agreement.
19. The Board and the Attorney General may communicate and cooperate regarding Ms. Collins's practice or any other matter relating to this Consent Agreement.
20. This Consent Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
21. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.
22. Ms. Collins acknowledges by her signature hereto that she has read this Consent Agreement, that she has had an opportunity to consult with an attorney before executing this Consent Agreement, that she executed this Consent Agreement of her own free will, and that she agrees to abide by all the terms and conditions set forth herein.


DATED:

1-18-07

  
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PEGGY A. COLLINS

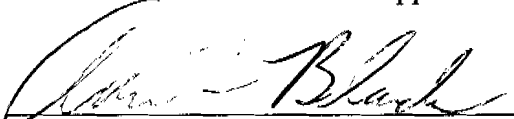
DATED:

1/23/07

  
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KENNETH P. CHAREST, Chairperson  
Maine Board of Real Estate Appraisers

DATED:

1/26/2007

  
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ANDREW L. BLACK  
Assistant Attorney General