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State of Minnesota
Dept. of Commerce

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

JUN 17 2022

Rec'd \$ 207

In the Matter of the Real Property Appraiser License of Heather Minke
License No. 20162470

CONSENT ORDER

TO: Heather Minke
Wild River Appraisals, LLC
2629 Crestview Road
Harris, MN 55032

Commissioner of Commerce Grace Arnold (Commissioner) has determined as follows:

1. The Commissioner has advised Heather Minke (Respondent) that she is prepared to commence formal action pursuant to Minn. Stat. § 45.027 (2020), and other applicable law, based on the following allegations on an appraisal completed in Princeton, Minnesota:

- a. Respondent failed to accurately report the location of the subject in Princeton Township as opposed to the City of Princeton, in violation of the Uniform Standards of Professional Appraiser Practice (USPAP) Standards Rule (SR) 1-2 (e)(i) (2020) and Minn. Stat. § 82B.195 Subd. 3. (1)(i) (2020).
- b. Respondent failed to accurately report the zoning of the subject property, in violation of USPAP SR 1-3 (a)(i) (2020) and Minn. Stat. § 82B.195 Subd. 3. (1)(i) and Minn. Stat. § 82B.20 Subd. 2. (6)(13) (2020).
- c. Respondent failed to include an accurate Highest and Best Use analysis with the appraisal report, in violation of USPAP SR 1-3 (b) (2020), Minn. Stat. § 82B.195 Subd. 1., Subd. 3. (1)(i), as well as Minn. Stat § 82B.20 Subd. 2. (6), (7), and (13) (2020) and Minn. Stat. § 82B.20 Subd. 2. (6)(13) (2020).

d. Respondent failed to provide a work file that supported the opinions and conclusions within the appraisal report, in violation of USPAP Record Keeping Rule (2020) and Minn. Stat. § 82B.071 Subd. 2 (2020).

2. Respondent acknowledges that they have been advised of the right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing. Respondent hereby expressly waives those rights. Respondent further acknowledges that they have been represented by legal counsel throughout these proceedings or has waived that right.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2020) and Minn. R. 1400.5900 (2019).

4. For purposes of Minn. Stat. § 16D.17 (2020), Respondent expressly waives the right to any notice or opportunity for a hearing on any civil penalty imposed by the Commissioner. Further, Minn. Stat. § 16D.17 (2020) allows the Commissioner to file and enforce the civil penalty imposed by this Order as a judgment against Respondent in district court without further notice or additional proceedings.

5. The civil penalty and/or any resulting judgment arising from this Order will be non-dischargeable in any bankruptcy proceeding. See 11 U.S.C. 523 (a)(7) ("A discharge under section 727, 1141, 1228(a), 1228(b) or 1328(b) of this title does not discharge an individual debtor from any debt... to the extent such debt is for a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit, and is not compensation for actual pecuniary loss, other than a tax penalty...").

6. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. Ch. 45 (2020) that;

A. Respondent shall complete the following corrective education courses provided by the Appraisal Foundation. These courses must be completed within 90 days of the effective date of this order;

- a. Appraiser Self-Protection: Documentation and Record Keeping; and
- b. Scope of Work: Appraisals and Inspections.

These courses cannot be used towards Respondents continuing education credits. Course completion certificates must be supplied to the Department within 30 days of completing and passing course requirements;

B. Respondent shall cease and desist from violating any laws, rules, or orders related to the duties and responsibilities entrusted to the Commissioner under Minnesota Statute Chapters 45 and 82B; and

C. Respondent shall pay all investigative costs in the amount of \$202.00 at the time the Consent to Entry of Order is signed pursuant to Minn. Stat. § 45.027, subd. 1(8) (2020).

This Order shall be effective upon signature by or on behalf of the Commissioner.

Date: 06/23/2022

GRACE ARNOLD
Commissioner



MATTHEW VATTER
Assistant Commissioner of Enforcement
Minnesota Department of Commerce
85 Seventh Place East, Suite 280
St. Paul, MN 55101
(651) 539-1600

CONSENT TO ENTRY OF ORDER

The undersigned states that they have read this Consent Order; that the undersigned knows and fully understands its contents and effect; that the undersigned has been advised of the right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing and expressly waives those rights. Respondent further acknowledges that Respondent has been represented by legal counsel throughout these proceedings, or has been advised of the right to be represented by legal counsel, which right Respondent hereby expressly waives; and that Respondent consents to entry of this Order by the Commissioner. It is further understood that this Consent Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either express or implied.

Heather Minke

Date: 6-9-2022

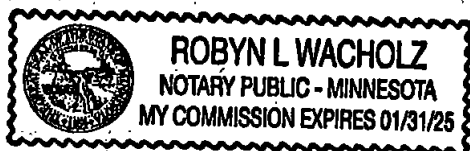
By: Heather R Minke
Signature

STATE OF Minnesota

COUNTY OF Freeborn

Signed or attested before me on 6-9-22 (Date).

(Notary stamp)



Robyn L Wacholz
(Signature of Notary)

My Commission expires: 1-31-25