

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

In the Matter of Jeremy R. LaValla
License No. 20399942

CONSENT ORDER

TO: Jeremy R. LaValla
PO Box 159
105 5th Avenue NW
Baudette, Minnesota 55623

Commissioner of Commerce Steve Kelley (Commissioner) has determined as follows:

1. The Commissioner has advised Jeremy R. LaValla, (Respondent), that he is prepared to commence formal action pursuant to Minn. Stat. § 45.027 (2018), and other applicable law, based on the following allegations:

- a. Respondent failed to determine the correct legal description resulting in valuing only twenty acres of a forty acre sale, in violation of the Uniform Standards of Professional Appraisal Practice (USPAP) Scope of Work Rule, Standard Rule (SR) 1-1 (b), 1-2 (e)(i), 2-2 (a)(iii) (2018) and Minn. Stat. § 82B.195 subd. 3 (1)(i) and § 82B.20 subd. 2 (7) (2018).
- b. Respondent failed to provide the correct zoning information and did not report the subject being in an FEMA designated AE flood zone, in violation of the USPAP Scope of Work Rule, SR 1-1 (c), SR 1-2 (e)(i), SR 2-2 (a)(iii) (2018) and Minn. Stat. § 82B.195 subd. 3 (1)(i) and § 82B.20 subd 2 (7) (2018).
- c. Respondent failed to provide a credible appraisal report because he reported incorrect comparable characteristics and misleading comparable adjustments, he did not make comparable adjustments where they were necessary, and Respondent included inappropriate comments from previous appraisal reports, in violation of the USPAP

Ethics Rule, SR 2-1 (a) (2018) and Minn. Stat. § 82B.195 subd. 3 (1)(vi) and § 82B.20 subd. 2 (7) (2018).

d. Respondent failed to maintain a work file supporting his opinion and conclusions in violation of USPAP Record Keeping Rule and Minn. Stat. § 82B.071 subd. 2. (2018).

2. Respondent acknowledges that he has been advised of his rights 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 he has 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 (2018) and Minn. R. 1400.5900 (2017).

4. For purposes of Minn. Stat. § 16D.17 (2018), Respondent expressly waives his right to any notice or opportunity for a hearing on any civil penalty imposed by the Commissioner. Further, Minn. Stat. § 16D.17 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) (2018) ("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 (2018) that:

A. Respondent shall pay a civil penalty in the amount of \$1,000 to the State of Minnesota at the time this Order is signed;

B. Respondent shall attend the following corrective education class: Scope of Work: Appraisals and Inspections, provided by the Appraisal Foundation, within 180 days of the effective date of this Order. Respondent must provide proof of completion to the Commissioner within 30 days of course completion. Respondent may not use this class toward the satisfaction of any continuing education requirements;

C. 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

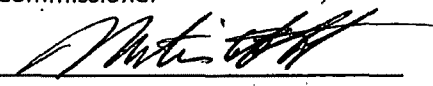
D. Respondent shall pay all investigative costs pursuant to Minn. Stat. § 45.027, subd. 1(8) (2018).

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

Date: 2-11-2019

STEVE KELLEY
Commissioner

By:


MARTIN FLEISCHHACKER
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

Respondent states that he has read this Consent Order; that he knows and fully understand its contents and effect; that he 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 he has been represented by legal counsel throughout these proceedings, or has been advised of his right to be represented by legal counsel, which right he hereby expressly waives; and that he 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.

Jeremy R. LaValla

Date: 01/30/2019

By:

Jeremy LaValla

STATE OF Minnesota

COUNTY OF Lake of the Woods

Signed or attested before me on Jan. 30, 2019 (Date)

(Notary stamp)

Patrick B. Lavalla
(Signature of Notary)



My Commission expires:

Jan. 31, 2020

55407/HW

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

State of Minnesota
Dept of Commerce

MAR 18 2019

Rec'd \$

2000

In the Matter of Diane Lee Poppitz
License No. 20254825

CONSENT ORDER

TO: Diane Lee Poppitz
Hubble Enterprises, Inc.
835 Monnens Avenue
Shakopee, Minnesota 55379

Commissioner of Commerce Steve Kelley (Commissioner) has determined as follows:

1. The Commissioner has advised Diane Lee Poppitz (Respondent), that he is prepared to commence formal action pursuant to Minn. Stat. § 45.027 (2018), and other applicable law, based on the following allegations:

- a. Respondent failed to report the subject's correct upper level bathroom count, in violation of the Uniform Standards of Professional Appraisal Practice (USPAP) Standard Rule (SR) 1-1 (b), 2-1 (a) (2018) and Minn. Stat. § 82B.195 subd. 3 (1)(i) (2018).
- b. Respondent failed to provide a credible land value in the cost approach to value because she did apply the correct extraction method, in violation of the USPAP SR 1-1 (a), 1-4 (b)(i), SR 2-1 (a) (2018) and Minn. Stat. § 82B.20 subd. 2 (7) (2018).
- c. Respondent failed to maintain a work file that supported her opinions and conclusions in violation of the USPAP Record Keeping Rule and Minn. Stat. § 82B.071 subd. 2 (2018).

2. Respondent acknowledges that she has been advised of her rights 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 she has 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 (2018) and Minn. R. 1400.5900 (2017).

4. For purposes of Minn. Stat. § 16D.17 (2018), Respondent expressly waives her right to any notice or opportunity for a hearing on any civil penalty imposed by the Commissioner. Further, Minn. Stat. § 16D.17 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) (2018) ("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 (2016) that:

A. Respondent shall pay a civil penalty of \$4,000 to the State of Minnesota. The Commissioner has stayed \$2,000 of this penalty.

Respondent must pay \$2,000 at the time this Order is signed. The stayed portion of the civil penalty may be lifted if Respondent commits further violations of any law, rule, or order related to the duties and responsibilities entrusted to the Commissioner. If the Commissioner determines that Respondent has committed further violations of any law, rule, or order over which the Commissioner has authority, the stay shall be lifted and the stayed portion of the penalty shall become effective in addition to any additional administrative action the Commissioner deems appropriate for the new violation(s). Additionally, the stayed portion of the civil penalty may be lifted if Respondent fails to fulfill any part of this Order. If the Commissioner seeks to lift the stay, Respondent may request a hearing to challenge the factual basis for lifting the stay, but may not challenge the amount of the stayed penalty. If the stay has not been lifted by March 1, 2022, the stayed portion of the civil penalty will be vacated.

B. Respondent shall attend live classroom corrective education classes provided by an approved appraiser continuing education provider, within 180 days of the effective date of this Order. Respondent must provide proof of completion to the Commissioner within 30 days of course completion. Respondent may not use the following education classes toward the satisfaction of any continuing education requirements;

1. Appraisal Inspection; and
2. Credible Cost Approach.

C. 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

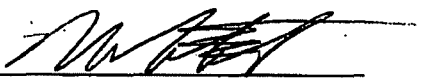
D. Respondent shall pay all investigative costs not to exceed \$1,000 pursuant to Minn. Stat. § 45.027, subd. 1(8) (2018).

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

Date: 3 - 20 - 2019

STEVE KELLEY
Commissioner

By:


MARTIN FLEISCHHACKER
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 she has read this Consent Order; that she knows and fully understand its contents and effect; that she 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 she has been represented by legal counsel throughout these proceedings, or has been advised of her right to be represented by legal counsel, which right she hereby expressly waives; and that she 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.

Date: 3-7-2019

By: Diane Lee Poppitz
[Signature]
Signature

STATE OF Minnesota

COUNTY OF Hennepin

Signed or attested before me on March 7th 2019 (Date).

(Notary stamp)

[Signature]
(Signature of Notary)

My Commission expires:
1/31/2021



File #56255/lr

**STATE OF MINNESOTA
DEPARTMENT OF COMMERCE**

In the Matter of
The Appraiser License Of
Lisa Lang
Appraiser license #4000426

Summary of Suspension Order

TO: Lisa Lang
5508 Pompano Drive
Minnetonka, MN 55343

The Commissioner of Commerce Steve Kelley (Commissioner) has determined as follows:

1. The Commissioner has advised Lisa Lang (Respondent) that he is commencing formal administrative action pursuant to Minn. Stat. § 270C.72 against Respondent's Appraiser license based on the Minnesota Department of Revenue's (Revenue) determination that she has delinquent taxes.
2. Respondent has been advised of her right to contact Revenue to resolve the debt which will allow her to obtain a letter of clearance.
3. The following Order is in the public interest.


NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. § 270C.72 that Respondent's license is hereby revoked until the Respondent provides a letter of tax clearance certificate issued by Revenue.

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

Dated: 3-7-2019

STEVE KELLEY
Commissioner

By:


MARTIN FLEISCHHACKER
Assistant Commissioner of Enforcement
Minnesota Department of Commerce
85 Seventh Place East, Suite 280
Saint Paul, Minnesota 55101
651-539-1600