

**STATE OF MINNESOTA
DEPARTMENT OF COMMERCE**

In the Matter of the Appraiser License of Samuel Akolade Adesiji
License No.: 20315339

CONSENT ORDER

TO: Samuel Akolade Adesiji
14491 Fluorine Ct NW
Ramsey, MN 55303

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

1. The Commissioner has advised Samuel Akolade Adesiji (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 that the subject owned a second parcel of land that provided lake shore frontage. Respondent failed to correctly report legal descriptions, property identification numbers, real estate taxes due and payable in the year 2019, the subject's lot size, feet of lake shore owned and the flood zone determination in violation of the Uniform Standards of Appraisal Practice (USPAP) Scope of Work Rule, Standard Rule (SR) 1-1 (b), SR 2-1 (a) (2018) and Minn. Stat. § 82B.195 subd 3 (1)(i) and Minn. Stat. § 82B.20 subd. 2 (6, 13) (2018).
 - b. Respondent failed to provide the correct zoning classification in violation of the USPAP Scope of Work Rule, SR 1-2 (e)(i) (2018) and Minn. Stat. § 82B.20 subd. 2 (6, 13) (2018).

- c. Respondent failed to provide a credible sales comparison approach to value. Respondent reported inaccurate features of comparable sales. For example, he inaccurately reported lake frontage, deeded lake access, and financing terms. Respondent's failure to properly report comparable characteristics and financing terms is a violation of the USPAP Scope of Work Rule, SR 1-2 (c)(iv), SR 1-4 (a), 2-1 (a) (2018) and Minn. Stat. § 82B.195 subd. 3 (1)(i) (2018).
- d. Respondent failed to maintain a work file sufficient to support his opinions and conclusions in violation of the USPAP Record Keeping (2018) and Minn. Stat. § 82B.071 (2018).

2. Respondent acknowledges 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. Respondent hereby expressly waives those rights. Respondent further acknowledges that he has been represented by legal counsel throughout these proceedings or Respondent 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 (2018) 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 \$1,500 to the State of Minnesota. The Commissioner has stayed \$1,000 of this penalty. Respondent must pay \$500 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). 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 September 1, 2021, the stayed portion of the civil penalty will be vacated;

B. Respondent to complete the following corrective education courses provided by the Appraisal Foundation within ninety days of the effective date of this order:

- 1) 15-hour USPAP course;
- 2) Appraiser Self Protection: Documentation and Record Keeping; and
- 3) Scope of Work: Appraisals and Inspections.

These corrective courses cannot be used for any of Respondent's continuing education requirements and Respondent must provide proof of completion within thirty days of completing the course work.

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 in the amount of \$135 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: 09/10/2020

STEVE KELLEY
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 he has read this Consent Order; that he knows and fully understands 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 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.

Date: 09/04/20

Samuel Akolade Adesiji
By: [Signature]
Signature

STATE OF Minnesota
COUNTY OF Anoka

Signed or attested before me on 09/04/2020 (Date).

(Notary stamp)

[Signature]
(Signature of Notary)
My Commission expires:
01/31/2023

