

64144/JWR

**STATE OF MINNESOTA
DEPARTMENT OF COMMERCE**

In the Matter of the Appraiser License of Steven Zimmerman
License No.: 4000004

CONSENT ORDER

TO: Steven Zimmerman
44499 Monument Beach Loop
Pelican Rapids, Minnesota 56572

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

1. The Commissioner has advised Steven Zimmerman (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:

- a. Respondent changed the name of the client, intended users, and intended use of the appraisal at the request of the original client. In this attempt to re-assign an appraisal to reflect another client, without an agreement or request from the newly named client, respondent falsified the identity of the named client, the intended use, and the intended user in the revised appraisal report. Falsifying the client, intended user, and intended use is a violation of the Uniform Standards of Professional Appraisal Practice (USPAP) Ethics Rule, Scope of Work Rule, Standard Rule (SR) 1-2 (a) and (b), SR 2-2 (a)(i) and (ii) (2016) Minn. Stat. § 82B.195 subd, 2 (1), (2), and (3) (2016); and
- b. Respondent failed to maintain a complete and accurate work file. The work file did not include any copies of contracts, which would indicate additional clients or intended users for appraisal products completed on the subject property is a violation of USPAP Record Keeping Rule (2016) and Minn. Stat. 82B.071 (2016).

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 has waived that right. 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 (2017).

3. 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.

4. 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...").

5. 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 \$2,000 to the State of Minnesota;

B. Respondent shall complete the following corrective education courses offered by the

Appraisal Foundation, on their website within ninety days of the effective date of this Order;

1. Scope of Work: Appraisals and Inspections;
2. Assignment Conditions, Elements and Results; and
3. Ethics, Competency and Negligence.

These corrective courses cannot be used for any of Respondent's continuing education requirements.

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 \$360 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: 06/30/2021

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 he has 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.

Steven Zimmerman

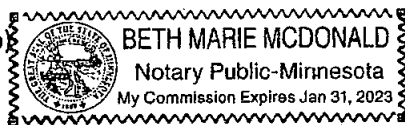
Date: June 15, 2021

By: Steven Zimmerman
Signature

STATE OF Minnesota
COUNTY OF Otter Tail

Signed or attested before me on June 15, 2021 (Date).

(Notary stamp)



[Signature]
(Signature of Notary)

My Commission expires:

1/31/23