

**STATE OF MINNESOTA
DEPARTMENT OF COMMERCE**

In the Matter of the Appraiser License of Gregory V. Perrella
License No.: 4002760

CONSENT ORDER

TO: Gregory V. Perrella
Perrella & Associates
1932 2nd Avenue East
Hibbing, MN 55746

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

1. The Commissioner has advised Gregory V. Perrella (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's appraisal report lacked credibility because of a series of errors and omissions. Respondent 1) failed to provide the subject's correct site size; 2) incorrectly reported the zoning use as a legal use; 3) provided inaccurate flood zone data; and 4) failed to properly report and summarize the property characteristics. Respondent created an appraisal report that lacked credibility in violation of Uniform Standards of Appraisal Practice (USPAP) Standard Rule (SR) 1-1 (c), 2-1 (a), 2-2 (a)(viii) (2018) and Minn. Stat. § 82B.195 subd. 3 (1)(i) and Minn. Stat. § 82B.20 subd. 2, (13) (2018).
- b. Respondent failed to provide analysis for his highest and best use determination and if the subject conformed to the neighborhood in violation of USPAP SR 2-2 (a)(x) (2018) and Minn. Stat. § 82B.20 subd. 2 (13) (2018)
- c. Respondent failed to correctly report comparable sale prices, dates of sale and numerous other comparable characteristics in violation of USPAP SR 1-1(c), SR 2-1 (a) and Minn. Stat. § 82B.195 subd. 3 (1)(i) and Minn. Stat. § 82B.20 subd. 2 (13) (2018).

d. Respondent failed to maintain a work file sufficient to support his opinions and conclusions. The work file failed to support the determination of the site value in the cost approach, failed to provide the cost data from the local builders and it failed to support the development of the adjustments made to the comparables in violation of USPAP Record Keeping Rule (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 complete the following corrective education courses offered by the Appraisal Foundation within ninety days of the effective date of this order;

- 1) Appraiser Self Protection: Documentation and Record Keeping;
- 2) Report Certifications: What Am I Signing and Why?;
- 3) Residential Report Writing vs. Form Filling; and
- 4) Scope of Work: Appraisals and Inspections.

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;

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 \$472.50 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: 07/20/2020

STEVE KELLEY
Commissioner



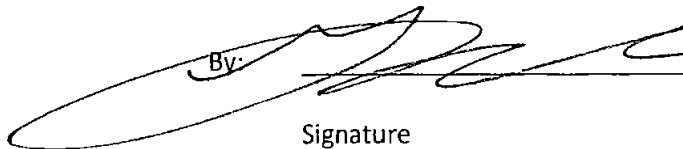
MATTHEW VATTER
Assistant Commissioner of Enforcement
Minnesota Department of Commerce
85 Seventh Place East, Suite 280
St. Paul, MN 55101
(651) 539-1600

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.

Gregory V. Perrella

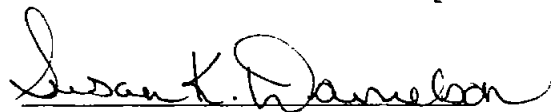
Date: 7-13-20

By: 
Signature

STATE OF Minnesota
COUNTY OF St. Louis

Signed or attested before me on July 13, 2020 (Date).

(Notary stamp) 


(Signature of Notary)

My Commission expires:
1/31/2025