

AP2400090/DLB

**STATE OF MINNESOTA
COMMISSIONER OF COMMERCE**

In the Matter of the
Real Estate Appraiser License of
Michael Christian Belz

CONSENT ORDER

License No. 20316469

TO: Michael Christian Belz
329 Townsvalley Rd.
River Falls, WI 54022

Commissioner of Commerce Glenn Wilson (hereinafter "Commissioner") has determined as follows:

1. The Commissioner has advised Michael Christian Belz, (hereinafter "Respondent") that he is prepared to commence formal action pursuant to Minn. Stat. §82B.07 (2006) and other applicable statutes, against Respondent's Real Estate Appraisal License based on allegations that Respondent violated the following in the appraisal of 1208 Ramsey St W, while under the supervision of a supervisory appraiser: USPAP Ethics Rule-Conduct/USPAP Standards Rule 2-1(a)(2002)/USPAP Standards Rule 2-2(b)(vii)(2002): In an appraisal practice, an appraiser must not perform as an advocate for any party or issue, an appraiser must perform assignment with impartiality, objectivity and independence and must not accept an assignment that includes the reporting of predetermined opinions and conclusions. Appraiser accepted the appraisal assignment from homeowner, who was disputing a previous appraised value. Appraiser should have clearly disclosed the assignment details and scope of work to clearly and accurately set forth the appraisal in a manner that was not misleading. USPAP Standards Rule 1-1(a)(b)(c)(2002) Failure to understand and correctly employ recognized methods and techniques necessary for credible results, committing substantial errors of omission

or commission that significantly affects an appraisal and rendering appraisal services in a careless or negligent manner by making a series of errors that affect the credibility of the appraisal: Appraiser chose comparable sales outside of the subjects city limits citing that “there was an extreme lack of duplex sales and listings”, however comparables were available within the city and very similar in comparison purposes to those used outside of city limits (10 miles away), appraiser used only 2 comparable rentals (one of those in another city), citing that a 3rd could not be found due to “extreme lack of rental data for the area” (appraiser did not use newspaper or internet as alternative research, states Moore Data as the only source), comparable sales 1 and 3 are missing rental information, which could have been obtained by call to realtor, subject is shown on previous appraisal and MLS to have one unit with 2 bedrooms, and this appraisal shows 1 bedroom each unit. USPAP Standards Rule 1-5(b)(I)(2002) The appraisal does refer to the previous sale May 2002 for \$190,000 but does not analyze or comment on the appraisers opinion of market value dated May 2003 that has decreased to \$172,000, when the neighborhood section of the appraisal states that neighborhood property values are increasing.

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 at a hearing, and Respondent hereby 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 waives.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2006) and Minn. R. 1400.5900 (2005).

4. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, that Respondent Michael Belz, is censured.

IT IS FURTHER ORDERED that pursuant to Minn. Stat. § 45.027 Subd. 6 (2006), as amended, Respondent shall pay to the State of Minnesota a civil penalty of \$250.

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

Dated: 5/17/07

GLENN WILSON
Commissioner

By: 

Patrick L. Nelson
Deputy Commissioner
Market Assurance Division
85 Seventh Place East, Suite 500
Saint Paul, Minnesota
Telephone: (651)296-2488

CONSENT TO ENTRY OF ORDER

The undersigned, Michael Belz, states that he has read the foregoing Consent Order, that he knows and fully understands its contents and effect; that he has been advised of his right to a hearing in this matter; that he has been represented by legal counsel in this matter, or has been advised of his right to be represented by legal counsel; 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.

Michael Belz
Michael Belz

STATE OF Minnesota

COUNTY OF Ramsey

Signed or attested before me on April 5th, 2007 (date)

By Michael Belz (name(s) of person(s)).

Douglas A. Schultze
(Signature of notary officer)

Notary Public
(Title) and rank



My Commission expires: 1/31/2010