

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
233 RICHMOND STREET
PROVIDENCE, RHODE ISLAND 02903

IN THE MATTER OF:	:	
	:	
TIMOTHY S. TRAHAN,	:	DBR No. 08-L-0153
	:	
RESPONDENT.	:	

CONSENT AGREEMENT

The Department of Business Regulation (“Department”) and Timothy S. Trahan (“Respondent”) hereby agree that:

1. Respondent is a Licensed Residential Appraiser, License Number A01046L, issued September 11, 2003, pursuant to R.I. Gen. Laws § 5-20.7-1, *et seq.* (“License”).

2. The Real Estate Appraisers’ Board (“Board”) investigated Respondent’s appraisal of 161 Old Harbor Road, Little Compton, Rhode Island 02873, dated November 25, 2007 (the “Appraisal”).

3. Respondent met with the Board on June 4, 2008 to answer questions regarding the Appraisal.

4. Based upon its investigation and its informal meeting with Respondent, the Board determined that probable cause that the Appraisal did not conform to the Uniform Standards of Professional Appraisal Practice (“USPAP”), citing the following USPAP violations:

a. The Competency Rule as relating to Respondent’s lack of geographic competency;

b. Standards Rule 1-5(b) because Respondent failed to analyze all sales of the subject property that occurred within three years prior to the effective date of the Appraisal; and

c. Standards Rule 2-1(b) because Respondent failed to provide sufficient information that would enable the intended users of the Appraisal to understand the report properly, specifically, a failure to indicate the sale was an intra-family sale, not an arms-length transaction.

5. Pursuant to R.I. Gen. Laws § 5-20.7-19, a licensed real estate appraiser must comply with USPAP.

6. Pursuant to R.I. Gen. Laws § 5-20.7-19, the Department has cause to initiate administrative proceedings to sanction Respondent's License via suspension or revocation or otherwise pursuant to R.I. Gen. Laws § 5-20.7-20(2).

7. In an effort to resolve the above-referenced matter, effect a timely and amicable resolution of the issues raised in this Consent Agreement, and allow Respondent to maintain his license in good-standing, Respondent understands and agrees to the following:

a. Respondent shall enroll and successfully complete a fifteen (15) hour course in Residential Report Writing in a classroom setting (i.e., not via distance learning) within one (1) year of the date of this Agreement;

b. Respondent may not use the 15-hour course in Residential Report Writing, referenced in Paragraph 7(a) to fulfill the continuing education requirement for renewal of his license; and

c. Respondent shall remit a \$100.00 administrative penalty, made payable to the Rhode Island General Treasurer, to the Department by September 30, 2008;

8. Respondent's license remains in good standing with the Board and the Department.

9. If Respondent fails to abide by any of the requirements of this Consent Agreement, the Department will initiate administrative proceedings to impose penalties against Respondent including, but not limited to: (i) suspension, (ii) revocation, and/or (iii) such additional administrative penalties as deemed appropriate by the Department. Respondent shall be provided with notice and opportunity for hearing should the Department decide to take such further action.

THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

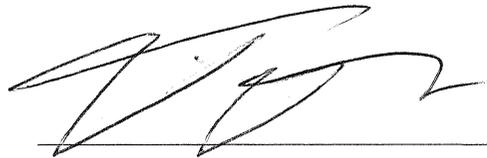
Department of Business Regulation
By its Legal Counsel:



Michael P. Jolin
Department of Business Regulation

Date: 9/4/08

Timothy S. Trahan, Respondent
By:



Date: 8/29/08