

**BEFORE THE MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD**

**MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD**

COMPLAINANT

VS.

CASE NO. 06-1404

**RICHARD LEQUESNE MURPHY, APPRAISER
(LICENSE NO. GA-666), AND VICTORIA BEVERIDGE,
APPRAISER (LICENSE NO. RA-971)**

RESPONDENTS

CONSENT ORDER
RE: VICTORIA BEVERIDGE, APPRAISER, LICENSE NO: RA-971

THIS CAUSE came before the Mississippi Real Estate Appraiser Licensing and Certification Board (sometimes hereinafter "Board"), pursuant to authority of §§73-34-1, *et seq.*, Miss. Code Ann. (1972), as amended, following the issuance of a formal Notice of Hearing and Complaint ("Complaint") served on or about July 22, 2015 upon Richard Lequesne Murphy, Appraiser, (sometimes hereinafter "Respondent" or "Murphy"), License No.: GA-666 and Victoria Beveridge, Appraiser (sometimes hereinafter "Respondent" or "Beveridge"), License No.: RA-971. Respondent Beveridge filed an Answer and Affirmative Defenses to the Complaint on or about August 18, 2015 and denied the allegations of the Complaint. Prior to hearing, Respondent Beveridge, without admission of liability, announced to the Board her consent to the entry of this Consent Order to resolve all allegations within the Board's Complaint. By entering into this Consent Order, Respondent Beveridge waives the right to a hearing with full due process and the right to petition for appeal from any adverse decision resulting from a hearing. Having reached an agreement with Respondent Beveridge in this matter, the Board issues its Findings of Fact, Conclusions of Law and Disciplinary Order as follows:

FINDINGS OF FACT

I.

The Mississippi Real Estate Appraiser Licensing and Certification Board is charged by law with the regulation of the practice of real estate appraisal in Mississippi including matters relating to real estate appraiser standards, qualifications and licensing, and disciplinary functions pursuant to §§73-34-1, *et seq.*, Miss. Code Ann. (1972), as amended. The Board, pursuant to this authority, has full, complete and proper jurisdiction over the parties and subject matter herein.

II.

Respondent, Victoria Beveridge is an adult resident of Louisiana whose last known address of record with the Board is 12 Carolina Court, Covington, Louisiana 70433. Respondent Beveridge is the holder of a Mississippi Non-Resident Certified Residential real estate appraiser's license, No. RA-971, issued by the Board on June 12, 2014, pursuant to 73-34-1, *et seq.*, Miss. Code Ann. (1972), as amended, and, as such, she is subject to all of the provisions, rules, regulations and statutes governing the appraisal of real property and licensing of real estate appraisers under Mississippi Law. At all relevant times herein, Respondent Beveridge was not licensed to appraise real property in Mississippi.

III.

On or about April 4, 2014, the Board received a complaint from Ms. Sharon Levens regarding the September, 2013 appraisal of her property located at 16005 Hwy. 49, Gulfport, Mississippi. Included was a copy of a letter of even date to Hancock/Whitney Bank of Gulfport, Mississippi (sometimes hereinafter the "Bank") wherein Ms. Levens complained of the referenced Appraisal Report submitted to the Bank by appraiser Richard Murphy. Ms. Levens complained that the subject appraisal Report included a certification by Richard Murphy that he had personally inspected the property although Ms. Levens claimed that Murphy had not in fact inspected her property. Ms. Levens complained that her property was inspected on September 27, 2013 by Respondent Victoria Beveridge, who was not then licensed to appraise property in Mississippi.

IV.

The Board opened an investigation and, on or about April 24, 2014, requested appraiser Richard Murphy provide the Board with any and all documents related to the subject appraisal including complete work file. On or about May 9, 2014, the Board received correspondence from Richard Murphy in response to the complaint of Sharon Levens and, thereafter, received copies of the subject Appraisal Report and documentation certified to be the workfile for the appraisal assignment.

V.

In his written response to the Board regarding the complaint from Ms. Levens that Respondent Victoria Beveridge had performed the appraisal inspection of her property, and not Richard Murphy as was certified in the Appraisal Report, Richard Murphy confirmed that the interior inspection of the property was performed by Respondent Victoria Beveridge on September 27, 2013. Respondent Victoria Beveridge was not licensed to perform real estate activities in Mississippi until June 12, 2014.

VI.

Miss. Code Ann. §73-34-5(1) provides, in relevant part that “Except as otherwise provided for in this section, it shall be unlawful for anyone to engage in real estate appraisal activity in this state without first obtaining one of the ...real estate appraiser licenses as provided in this chapter.” One of the referenced exceptions to the statutory license requirement is for “individuals who *do not* render significant professional assistance in arriving at a real estate appraisal analysis, opinion or conclusion.” (Miss. Code Ann. §73-34-5(1)(c)) (Emphasis added).

CONCLUSIONS OF LAW

VII.

The Board concludes that the above and foregoing described acts and conduct of Respondent Victoria Beveridge in the performance of an interior visual appraisal inspection of the subject property constitute “significant professional assistance” and “real estate appraisal activity” pursuant to Miss. Code Ann. §73-34-5(1), and for which a Mississippi appraiser license was required.

VIII.

The Board concludes that the above and foregoing described acts and conduct of Respondent Victoria Beveridge constitute violations of Miss. Code Ann. §§73-34-5(1) and 73-34-35(1)(I), which state in relevant parts:

§73-34-5(1): ...[I]t shall be unlawful for anyone to engage in real estate appraisal activity in this state without first obtaining one of the ...real estate appraiser licenses as provided in this chapter.

§73-34-35(1): ...[T]he rights of any licensed appraiser or licensed certified real estate appraiser may be revoked or suspended, or the holder of the license may be otherwise disciplined, in accordance with the provisions of this chapter for ...:

(I) Any act or conduct, whether the same or of a different character than specified above, which constitutes or demonstrates bad faith, incompetency or untrustworthiness; or dishonest, fraudulent or improper dealing; or any other violation of the provisions of this chapter and of rules and regulations established by the board.

DISCIPLINARY ORDER

IX.

The Board, with the agreement and consent of Respondent Victoria Beveridge, hereby orders and imposes discipline as follows:

- A) Respondent Beveridge must complete a fifteen (15) hour *2016-2017 National USPAP* course, and pass the accompanying examination, no later than June 30, 2016.
- B) Respondent Beveridge must complete a seven (7) hour *Defendable Work File* course within one hundred and eighty (180) days of the date of this Consent Order.
- C) The Board Staff recommends that the Respondent Beveridge complete the mandated courses in a classroom environment, if available. The credit hours generated by the successful completion of the mandated courses may not be used to satisfy the twenty-eight (28) hours of required continuing

education.

- D) Respondent Beveridge, as evidenced by her signature hereto, expressly agrees that if she fails to deliver to the Board Administrator evidence that she has successfully completed all of the required courses set forth herein, including evidence of passing grades on any accompanying examination, within the required time periods, such failure shall constitute grounds for additional disciplinary action by the Board without further notice to Respondent.
- E) This disciplinary action shall be reported to and posted with applicable and appropriate authorities including the Board's newsletter and/or website.
- F) This action and order of the Board shall be public record and shall be spread upon the Minutes of the Board as its official act and deed.
- G) Respondent Beveridge, as evidenced by her signature hereto, waives any and all objections or legal challenges she may have regarding or arising out of this matter, the entry of this Consent Order or any of its terms. She expressly waives any legal objections that may otherwise be available to her as to the Board taking this matter up preliminarily for purpose of considering and voting on whether or not to enter into this Consent Order.
- H) Should the Board decline the entry of this Consent Order, Respondent Beveridge understands and acknowledges that she remains entitled to a fair and impartial hearing of this matter before the Board.

SO ORDERED, this the 12 day of November, 2015.

MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD

By: _____

John Holliday
John Holliday, Chairperson
For and on Behalf of the Board

AGREED:

Victoria Beveridge
VICTORIA BEVERIDGE

Date

