

BEFORE THE BOARD OF REAL ESTATE APPRAISERS

STATE OF COLORADO

Case No. 2009010071

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY ACTION AGAINST THE APPRAISER'S
LICENSE OF **ROBIN BUCHLER (LICENSE # CR40028918)**,

Respondent.

IT IS HEREBY STIPULATED by and between the Colorado Board of Real Estate Appraisers (the "Board") and Respondent, as follows:

1. At all times relevant hereto, Respondent was registered, licensed or certified as a real estate appraiser in the State of Colorado.
2. The Board has jurisdiction over Respondent, Respondent's license and the subject matter of this action.
3. The Board commenced an investigation of Respondent's activities based upon a complaint filed on the Board's own motion or by an individual with specific knowledge of Respondent's actions.
4. The Board notified Respondent of the complaint and of the investigation and provided to Respondent a copy of the complaint and investigative report. The Board offered Respondent the opportunity to give written data, views and arguments concerning the complaint, investigation and investigative report.
5. The Board considered the investigative report regarding the appraisal and the appraisal reporting of the property or properties identified on Exhibit A, attached hereto and incorporated herein, and found reasonable grounds exist to refer Respondent to hearing for violations of appraisal law. The Board authorized the preparation of this settlement agreement including the disciplinary terms set forth herein as a means to resolve the matter without the need for formal hearing.
6. Respondent neither admits nor denies the factual findings and violations of appraisal laws, Board Rules and Uniform Standards of Professional Appraisal Practice as set forth in the investigative report identified on Exhibit A. The investigative report is incorporated herein by this reference.

7. Respondent agrees to and accepts the following discipline:

a. Respondent shall be permitted to permanently surrender Respondent's Colorado appraiser registration, license or certificate to the Board. Such surrender shall be effective immediately upon execution of this Stipulation and Final Agency Order by an authorized representative of the Board. Any registration(s), license(s), certificate(s) and/or pocket card(s) of Respondent shall be immediately returned to the Board. On and after the effective date of this Stipulation and Final Agency Order, Respondent shall not engage in any act requiring an appraiser registration, license or certificate as set forth in §12-61-706 and §12-61-712, C.R.S. The Board reserves the right, notwithstanding the provisions of paragraph 8 below, to review the allegations and/or charges raised by the investigation which is identified in paragraphs 3, 4 and 5 above should Respondent ever apply for any registration, license or certificate issued by the Board. The Board also reserves the right to treat the permanent surrender of Respondent's appraiser registration, license or certificate in all respects and without exception as a permanent revocation pursuant to §12-61-710, C.R.S.

b. Respondent acknowledges that the Board will publish this Stipulation and Final Agency Order (or a summary of the disciplinary terms provided for herein) on the Board's website and in the "Appraiser Update," a Board publication, and will treat this Stipulation and Final Agency Order and the investigative report as public records in the custody of the Board.

8. It is the intent and purpose of this Stipulation to provide for the settlement of the particular issues, allegations and/or charges raised by the investigation of Respondent's activities by the Board as set forth in paragraphs 3, 4 and 5 above and as set forth in the investigative report.

9. Upon execution by all parties, this Stipulation and Final Agency Order shall represent the entire and final agreement of the parties. In the event any provision of this Stipulation and Final Agency Order is deemed invalid or unenforceable by a court of law, it shall be severed and the remaining provisions of this Stipulation and Final Agency Order shall be given full force and effect.

10. Respondent expressly agrees and acknowledges that Respondent has entered into this Stipulation and Final Agency Order knowingly and voluntarily. After the opportunity to consult with legal counsel, Respondent affirms that Respondent has read this Stipulation and Final Agency Order and fully understands its nature, meaning and content. Respondent agrees that upon execution of this Stipulation and Final Agency Order, no subsequent action or assertion shall be maintained or pursued by Respondent asserting the invalidity in any manner of this Stipulation and Final Agency Order.

11. Respondent understands and knowingly and voluntarily enters into this Stipulation and Final Agency Order. Respondent further understands and knowingly and voluntarily waives the following rights:

a. The right to a formal disciplinary hearing on the merits of the matters forming the basis of this Stipulation and Final Agency Order and the right to require the Board to meet its burden of proof in a formal hearing.

b. The right to confront and cross-examine all witnesses against Respondent at a formal hearing.

c. The right to subpoena witnesses, present evidence and to testify on Respondent's behalf at a formal hearing.

d. The right to be represented by counsel of Respondent's own choosing and at Respondent's expense at any stage of this proceeding.

e. The right to engage in pre-hearing discovery of the Board's evidence.

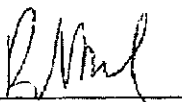
f. The right to appeal the Final Agency Order provided for by this Stipulation.

12. On the date upon which this Stipulation is executed by an authorized representative of the Board, it shall become the Final Agency Order of the Board.


EXECUTED BY THE BOARD this 11th day of February 2009.

RESPONDENT

COLORADO BOARD OF REAL ESTATE
APPRAISERS



Respondent

By: 

Erin Toll (or Designee of the Director)
Division of Real Estate
1560 Broadway, Ste. 925
Denver, CO 80202

EXHIBIT A
Stipulation and Final Agency Order

Respondent Name: **Robin Buchler**
License Number: **CR40028918**
Case Number: **2009010071**

Property Appraised

- 6905 Brookeview Ct., Parker, CO
- 6926 Brookeview Ct., Parker, CO
- 6937 Brookeview Ct., Parker, CO

Appraisal Report Date

December 2, 2006
December 5, 2006
January 18, 2007

Admissions: Respondent neither admits nor denies the allegations contained in the investigative report dated January 25, 2009. Respondent agrees, however, that the allegations stated in the investigative report, if proven at a hearing held pursuant to the Colorado Administrative Procedures Act, §§ 24-4-104 and 105, C.R.S., (as amended) would constitute a violation or violations of § 12-61-710(1)(h), C.R.S., Board Rules 12.16 and 11.2, the Conduct Section of the Ethics Rule, the Ethics Rule, the Competency Rule, USPAP Standard Rules 1-1(a), (b), (c); 1-2(e)(i); 1-4(a), (b); 1-5(a), (b); 1-6(a), (b); 2-1(a), (b); and 2-2(b)(iii) and would properly subject Respondent to the imposition of discipline.