

**BEFORE THE
BUREAU CHIEF OF THE BUREAU OF REAL ESTATE APPRAISERS
BUREAU OF REAL ESTATE APPRAISERS
STATE OF CALIFORNIA**

In the Matter of the of the
Real Estate Appraiser License of:

Case No. C20140512-01

Greg H. Gleich,
830 Devore Avenue
Simi Valley, CA 93065

Respondent.

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Chief of the Bureau of Real Estate Appraisers, Department of Consumer Affairs as the Decision and Order in the above entitled matter.

This Decision shall become effective on 3-25-15.

It is so ORDERED 2-23-15.



JAMES MARTIN, BUREAU CHIEF,
BUREAU OF REAL ESTATE APPRAISERS
DEPARTMENT OF CONSUMER AFFAIRS

1 Bureau of Real Estate Appraisers
1102 Q Street, Suite 4100
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5 **BEFORE THE**
CHIEF OF THE BUREAU OF REAL ESTATE APPRAISERS
6 **STATE OF CALIFORNIA**

7 In the Matter of the Administrative Findings
8 Against:

Case No. C20140512-01

9 **Greg H Gleich**
830 Devore Avenue
10 Simi Valley, CA 93065
Real Estate Appraiser License No. 034586

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

11 Respondent.
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13 In the interest of a prompt and speedy settlement of this matter, consistent with the public
14 interest and mission of the Bureau of Real Estate Appraisers ("Bureau"), the parties hereby agree
15 to the following Stipulated Settlement and Disciplinary Order ("Stipulated Settlement") which
16 will be submitted to the Chief of the Bureau of Real Estate Appraisers ("Bureau Chief") for
17 approval and adoption as the final disposition of this proceeding:

18 **PARTIES**

19 1. Elizabeth Seaters, acting on behalf of the Bureau of Real Estate Appraisers
20 ("Complainant"), brings this action solely in her official capacity as Chief of Enforcement for
21 Complainant.

22 2. Greg H Gleich ("Respondent") is representing himself and has chosen not to exercise
23 his right to be represented by counsel.

24 3. On or about July 14, 2004, the Bureau issued Real Estate Appraiser License No.
25 034586 to Respondent. Respondent's License was in full force and effect at all times relevant to
26 the attached Administrative Findings and, in absence of any superseding action, will expire on
27 July 13, 2016.
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11. Respondent agrees that his Real Estate Appraiser License No. 034586 is subject to discipline and he agrees to be bound by the Bureau Chief's imposition of discipline as set forth in the following Disciplinary Order.

CONTINGENCY

12. This Stipulated Settlement shall be subject to approval by the Bureau Chief. Respondent understands and agrees that counsel for Complainant and Complainant's staff may communicate directly with the Bureau Chief regarding this Stipulated Settlement, without notice to or participation by Respondent or his counsel. By signing this Stipulated Settlement, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind this Stipulated Settlement prior to the time the Bureau Chief considers and acts upon it. If the Bureau Chief fails to adopt this Stipulated Settlement as Complainant's Decision and Order, the Stipulated Settlement shall be of no force or effect, and, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Bureau Chief shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that portable document formate (PDF) or facsimile copies of this Stipulated Settlement, including PDF or facsimile signatures thereto, shall have the same force and effect as the originals.

14. This Stipulated Settlement is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

15. In consideration of the foregoing admissions and stipulations, the parties agree that the Bureau Chief may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent's Real Estate Appraisers License No. 034586 is revoked. However, the revocation shall be stayed, and Respondent shall be monitored on probation for two (2) years from the effective date of the Decision and Order on the terms and conditions described below.

1. Public Reproof. Respondent's license is publically reproofed.

2. Restricted License. Commencing on the effective date of the Decision and Order and continuing for six (6) months, Respondent shall not supervise any individual in the practice of real estate appraisal.

3. Obey All Laws. Respondent shall comply with all federal, state and local laws, and conform to the minimum guidelines set forth under the Uniform Standards of Professional Appraisal Practice (USPAP), and all other laws and regulations pertaining to real estate appraisers.

4. Appraisal Log/Work Samples: Commencing on the effective date of the Decision and Order and continuing through the period of probation, Respondent shall maintain a log of all appraisals and appraisal reviews respondent performs on a Log of Appraisal Experience form provided by BREa. Respondent shall submit a complete and accurate copy of the log of all appraisals and appraisal reviews completed each six months. Each six (6) month log shall be submitted to the Bureau of Real Estate Appraisers within 30 days following the end of each six (6) month period. Respondent understands BREa may select work samples for review from each submitted six (6) month log. Failure to submit the log, or any selected work samples, in compliance with these terms shall extend the probation for a period equivalent to the period of noncompliance.

Respondent shall complete a minimum of 12 appraisals per year. If respondent fails to complete 12 appraisals per year, probation shall be tolled pursuant to the Condition entitled Tolling of Probation for Out-of-State Residence/Practice. Periods during which probation is tolled shall not apply to reduction of the probationary period, or of any suspension.

1 **5. Monitoring.** Respondent shall be subject to, and shall permit and cooperate with,
2 monitoring and investigation of respondent's professional practice. Such monitoring and
3 investigation shall be conducted by representatives of BREA.

4 **6. Monitoring Costs.** Respondent shall pay costs associated with monitoring each and
5 every year of probation. Respondent shall comply with BREA's probation compliance
6 monitoring program. Failure to pay costs or comply with probation monitoring shall be
7 considered a violation of probation. Said costs shall be in a sum sufficient to cover the costs
8 incurred by BREA in reviewing appraisals, and other monitoring, in an amount not to exceed
9 \$250.00 per six (6) months.

10 **7. Comply With Probation.** Respondent shall fully comply with the terms and
11 conditions of the probation imposed by the Chief of BREA and shall cooperate fully with
12 representatives of BREA in its monitoring and investigation of respondent's compliance with the
13 terms and conditions of probation.

14 **8. Active License/Registration Status.** Respondent shall at all times maintain an active
15 license/registration status with BREA, including during any period of suspension. If the
16 license/registration is expired at the time the Decision and Order becomes effective, the
17 license/registration must be renewed within 30 days of the effective date of the Decision and
18 Order.

19 **9. Tolling of Probation for Out-of-State Residence/Practice.** In the event respondent
20 should leave California to reside or practice outside this state, respondent must notify BREA, in
21 writing, of the dates of departure and return. Periods of non-California residency or practice
22 outside the state shall not apply to reduction of the probationary period, or of any suspension. No
23 obligation imposed herein, including requirements to file written reports, reimburse BREA's
24 costs, or make restitution to consumers, shall be suspended or otherwise affected by such periods
25 of out-of-state residency or practice except at the written direction of BREA. Respondent must
26 provide written notice to BREA within 10 days of any change of residency or practice outside the
27 state, and within 30 days prior to re-establishing residency or returning to practice in this state.
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1 **10. Violation of Probation.** If Respondent violates probation in any respect, the Chief of
2 BREA, after giving Respondent notice and an opportunity to be heard, may revoke probation and
3 carry out the disciplinary order that was stayed. If an accusation or a petition to revoke probation
4 is filed against Respondent during probation, the Chief shall have continuing jurisdiction until the
5 matter is final, and the period of probation shall be extended until the matter is final.

6 **11. Completion of Probation.** Notwithstanding the continued effects of the published
7 discipline, upon successful completion of probation, respondent's license will be fully restored.

8 **12. Surrender of License:** During Respondent's term of probation, if he or she ceases
9 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
10 probation, Respondent may surrender his or her license to BREA. BREA reserves the right to
11 evaluate respondent's request and to exercise its discretion whether to grant the request, or to take
12 any other action deemed appropriate and reasonable under the circumstances, without further
13 hearing. Upon formal acceptance of the tendered license, respondent will no longer be subject to
14 the conditions of probation.

15 Surrender of Respondent's license shall be considered a disciplinary action and shall
16 become a part of Respondent's license history with the BREA. An appraiser whose license has
17 been surrendered may re-apply for licensure no sooner than one year from the effective date of
18 the disciplinary decision.

19 Respondent may petition to BREA for reinstatement pursuant to the provisions set forth in
20 Government Code section 11522. If, following a surrender of his or her license, Respondent ever
21 applies for licensure to the BREA and/or petitions for reinstatement in the State of California, the
22 Chief shall treat it as a new application for licensure. Respondent must comply with all the laws,
23 regulations and procedures for licensure in effect at the time the application or petition is filed,
24 and all of the charges and allegations contained in Exhibit A will be deemed true when the Chief
25 determines whether to grant or deny the application or petition. Further, Respondent shall pay the
26 fine, as specified in this Decision and Order prior to filing any application for reinstatement or
27 issuance of a new license.

13. **Payment of Fine.** Respondent shall pay a fine in the sum of \$4,000. Payment of this fine shall be made in quarterly installments with payments of not less than Five Hundred Dollars (\$500.00), with the first payment due within 30 days of the effective date of the final Decision and Order as signed by the Bureau Chief. Payments shall be made to the Real Estate Appraisers Regulation Fund, c/o Bureau of Real Estate Appraisers, 1102 Q Street, Suite 4100, Sacramento, California 95811, by check or money order and shall indicate on its face the notation: "BREA Case No. C20140512-01 ." If full payment is not received by BREA by the due date as noted above, a 10 percent late penalty shall be added to the unpaid balance and interest will accrue on the unpaid balance at the pooled money investment rate in effect at that time, until the full amount is paid. Respondent shall not be eligible to renew his or her license until such time as full payment of the outstanding fine has been made. Failure to make payment on the fine shall constitute a violation of the probationary order.

ACCEPTANCE

I have carefully read the above Stipulated Settlement. I understand the stipulation and the effect it will have on my Real Estate Appraiser License. I enter into this Stipulated Settlement voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Bureau Chief.

DATED:

2/7/2015

Greg H. Gleich
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement is hereby respectfully submitted for the Bureau Chief's consideration.

Dated:

2/19/15

Elizabeth Seaters
Chief of Enforcement

Exhibit A

Administrative Findings - Case No. 2014040512-01

- a) Respondent knowingly failed to summarize the extent of the real property appraisal assistance provided by Robert M. Kent to the intended user (client) of the appraisal reports that were submitted to the Bureau as work samples (Cal. Code Regs., tit. 10, § 3568, subd. (e)(3) and S.R. 2-2(b)(vii));
- b) Respondent knowingly falsely certified in the appraisal reports that if he had relied on significant real property appraisal assistance, that he had named the individual providing the assistance by name and that he had disclosed the specific tasks performed in each appraisal, when the client versions of the report did not include any reporting of professional appraisal assistance (Cal. Code Regs., tit. 10, §3568, subd. (e)(3) and S.R. 2-3);
- c) Respondent knowingly signed a false Supervising Appraiser's certification in conjunction with a Log of Appraisal Experience for Upgrade Applicant Robert M. Kent. The certification states that if Applicant (Robert M. Kent) was not a signing appraiser for any of the appraisal reports listed on the Log of Appraisal Experience, that Applicant was identified by name as providing significant real property appraisal assistance, and that the extent of the assistance was described in the report, as delivered to the client, in compliance with the Uniform Standards of professional Appraisal Practice. However, the reports delivered to the client did not acknowledge Applicant Robert M. Kent (Cal. Code Regs., tit. 10, §3702, subd. (a)(1) and (3), §3721, subd. (a)(2) and (5), and §3722, subd. (a)(11));
- d) Respondent failed to demonstrate the qualifications of honesty, candor, integrity, and trustworthiness related to the practice of the appraisal profession when he knowingly altering the work samples submitted to the Bureau of Real Estate Appraisers (Cal. Code Regs., tit. 10, §3702, subd. (a)(1) and (3), §3721, subd. (a)(2) and (5), and §3722(a) subd. (11)); and
- e) As a result of a, b, c and d Respondent knowingly failed to practice the minimum standard of professional ethics required of a licensed appraiser (Ethics Rule).