

**BEFORE THE
DIRECTOR OF THE OFFICE OF REAL ESTATE APPRAISERS
OFFICE OF REAL ESTATE APPRAISERS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

CHARLES D. BAILEY
421 East Strawberry Drive
Mill Valley, CA 94941

Real Estate Appraiser License No. AG007052

Respondent.

Case No. C 030611-01, 040312-01 and
040322-02

DECISION AND ORDER

The attached Stipulated Settlement and Order is hereby adopted by the Director of the Office of Real Estate Appraisers, Office of Real Estate Appraisers, as its Decision in this matter.

This Decision shall become effective on Sept. 27, 2006.

It is so ORDERED Aug. 25, 2006.


FOR THE DIRECTOR OF THE OFFICE OF REAL ESTATE
APPRAISERS
OFFICE OF REAL ESTATE APPRAISERS

1 BILL LOCKYER, Attorney General
of the State of California
2 CHAR SACHSON, State Bar No. 161032
Deputy Attorney General
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6 Attorneys for Complainant

7 **BEFORE THE**
8 **DIRECTOR OF THE OFFICE OF REAL ESTATE APPRAISERS**
9 **OFFICE OF REAL ESTATE APPRAISERS**
10 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

11 CHARLES D. BAILEY
12 421 East Strawberry Drive
13 Mill Valley, CA 94941

14 Real Estate Appraiser License No. AG007052

15 Respondent.

Case Nos. C 030611-01, 040312-01 and
040322-02

**STIPULATED SETTLEMENT AND
ORDER FOR PUBLIC REPROVAL**

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:

19 PARTIES

20 1. Greg Harding (Complainant) is the Chief of Licensing and Enforcement of
21 the Office of Real Estate Appraisers. He brought this action solely in his official capacity and is
22 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Char
23 Sachson, Deputy Attorney General.

24 2. Respondent Charles D. Bailey (Respondent) is represented in this
25 proceeding by attorney Todd F. Stevens, Esq., whose address is 550 West C Street, Suite 1550
26 San Diego, California 92101-3545.

27 3. On or about May 8, 1992, the Office of Real Estate Appraisers issued Real
28 Estate Appraiser License No. AG007052 to Respondent. The License was in full force and effect

1 at all times relevant to the charges brought in Accusation No. C 030611-01, 040312-01 and
2 040322-02 and will expire on February 23, 2007, unless renewed.

3 JURISDICTION

4 4. Accusation No. C 030611-01, 040312-01 and 040322-02 was filed before
5 the Director of the Office of Real Estate Appraisers (Director), for the Office of Real Estate
6 Appraisers, and is currently pending against Respondent. The Accusation and all other
7 statutorily required documents were properly served on Respondent on November 2, 2005.
8 Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation
9 No. C 030611-01, 040312-01 and 040322-02 is attached as Exhibit A and incorporated herein by
10 reference.

11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, fully discussed with counsel, and
13 understands the charges and allegations in Accusation No. C 030611-01, 040312-01 and
14 040322-02. Respondent has also carefully read, fully discussed with counsel, and understands
15 the effects of this Stipulated Settlement and Order.

16 6. Respondent is fully aware of his legal rights in this matter, including the
17 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
18 counsel at his own expense; the right to confront and cross-examine the witnesses against him;
19 the right to present evidence and to testify on his own behalf; the right to the issuance of
20 subpoenas to compel the attendance of witnesses and the production of documents; the right to
21 reconsideration and court review of an adverse decision; and all other rights accorded by the
22 California Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
24 each and every right set forth above.

25 CULPABILITY

26 8. Respondent denies all allegations in Accusation No. C 030611-01,
27 040312-01 and 040322-02. Respondent agrees that the allegations listed in the Accusation, if
28 proven at hearing, would constitute cause for issuance of a public reproof.

1 the matters contained in the Accusation, and any acts and circumstances arising out of the
2 allegations, the investigation of the allegations, or any conduct of the above agency or any of its
3 employees or agents related to this matter.

4 14. In consideration of the foregoing stipulations, the parties agree that the
5 Director may, without further notice or formal proceeding, issue and enter the following Order:

6 **ORDER**

7 IT IS HEREBY ORDERED that Real Estate Appraiser License No. AG007052
8 issued to Respondent Charles D. Bailey is hereby publicly reproved.

9 **Cost Reimbursement.** Respondent shall reimburse the Office of Real Estate
10 Appraisers \$4,000.00 for its investigation and prosecution costs. The payment shall be made
11 within 60 days of the effective date the Decision and Order of the Director of the Office of Real
12 Estate Appraisers. Payment shall be made to the Real Estate Appraisers Regulation Fund, c/o
13 Office of Real Estate Appraisers, 1102 Q Street, Suite 4100, Sacramento, California 95814 by
14 check or money order and shall indicate on its face the notation: OREA Case Nos. C030611-01,
15 040312-01 and 040322-02. Failure to reimburse the Office of Real Estate Appraisers' costs of its
16 investigation and prosecution shall constitute a violation of this agreement, unless the Office of
17 Real Estate Appraiser agrees in writing to payment by an installment plan because of financial
18 hardship. Respondent shall not be eligible to renew his license until such time as full payment of
19 the costs reimbursement has been made.

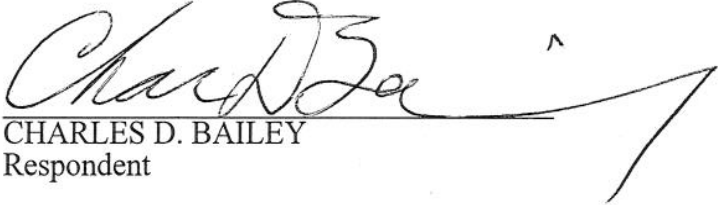
20 **OREA Website.** The OREA website shall read, as to Respondent's license
21 status: "Settlement agreement effective [date], public reproval, \$4,000.00 enforcement costs.
22 Alleged violations of USPAP S.R. 1 and 2: failure to provide adequate support for key analysis
23 of items relating to conclusions of value. Licensee denies these allegations. Parties agreed to
24 settlement terms in order to avoid further costs and uncertainties of litigation."

25 **ACCEPTANCE**

26 I have carefully read the above Stipulated Settlement and Order and have fully
27 discussed it with my attorney, Todd F. Stevens, Esq. I understand the stipulation and the effect it
28 will have on my Real Estate Appraiser's License. I enter into this Stipulated Settlement and

1 Order for Public Repeval voluntarily, knowingly, and intelligently, and agree to be bound by the
2 Decision and Order of the Director of the Office of Real Estate Appraisers, Office of Real Estate
3 Appraisers.

4 DATED: Aug 14, 2006.

5
6 
7 CHARLES D. BAILEY
8 Respondent

9 I have read and fully discussed with Respondent Charles D. Bailey the terms and
10 conditions and other matters contained in the above Stipulated Settlement and Order for Public
11 Repeval. I approve its form and content.

12 DATED: Aug. 14, 2006.


13 
14 TODD F. STEVENS, ESQ.
15 Attorney for Respondent

16 ENDORSEMENT

17 The foregoing Stipulated Settlement and Order for Public Repeval is hereby
18 respectfully submitted for consideration by the Director of the Office of Real Estate Appraisers,
19 Office of Real Estate Appraisers.

20
21 DATED: 8/14/06.

22 BILL LOCKYER, Attorney General
23 of the State of California

24 
25 CHAR SACHSON
26 Deputy Attorney General
27 Attorneys for Complainant