

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF:	:	
ALYSSA POLOFSKY,	:	DBR No. 13AP108
RESPONDENT.	:	

CONSENT AGREEMENT

The Department of Business Regulation ("Department") and Alyssa Polofsky ("Respondent") hereby agree that:

1. Respondent is a Certified Residential Appraiser, holding License Number A00814L, issued pursuant to R.I. Gen. Laws § 5-20.7-1, *et seq.*
2. The Real Estate Appraisers Board ("Board") received a complaint against the Respondent on September 7, 2011 regarding her appraisal of the property located 94 Doris Avenue, Warwick, Rhode Island which had an effective date of July 25, 2011 (the "Appraisal").
3. The Respondent met with the Board on January 4, 2012 to answer questions raised during its investigation and review of the Appraisal.
4. Based upon its investigation and its informal meeting with Respondent, the Board found probable cause that the Appraisal did not conform to the Uniform Standards of Professional Appraisal Practice ("USPAP") for the following reasons:

a. The Appraisal fails to report and analyze adverse external factors. Specifically, the Respondent failed to report that the subject property is located adjacent to T. F. Greene airport, and that it contains a full legal in-law apartment in the basement.

b. The comparable properties used by the Respondent in the appraisal were inappropriate in that they were significantly smaller than the subject property and were located in more desirable and higher priced markets. The Respondent failed to make adjustments in the appraisal for these factors.

5. Given the practices and reporting outlined above, the Board determined that the Respondent's Appraisal of the subject property contained insufficiencies as defined in the Uniform Standards for Appraisal Practice ("USPAP") Rules 2-1(a) and (b) and 2-2(b).

6. Pursuant to R.I. Gen. Laws § 5-20.7-19, a certified or licensed real estate appraiser must comply with the Uniform Standards of Professional Appraisal Practice ("USPAP") as promulgated by the Appraisal Standard Board of the Appraisal Foundation.

7. 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).

8. 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 her license in good standing, Respondent understands and agrees to the following:

a. The Respondent shall enroll in and successfully complete both a 5 credit hour Business Ethics and Practices course and a 15 credit hour classroom Sales Comparison course.


b. Neither of the courses specified above may be included in the continuing education credits necessary for renewal of the Respondent's license and certification.

10. 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) other additional administrative penalties as deemed appropriate by the Department. Respondent shall be provided with notice and opportunity for hearing should the Department choose to initiate such 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:

Respondent:



Ellen R. Balasco, Esq.
Deputy Chief of Legal Services



Alyssa Polofsky

Date: 10/1/13

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