

STATE OF NEW YORK
DEPARTMENT OF STATE

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In the Matter of the Complaint of

**DEPARTMENT OF STATE
DIVISION OF LICENSING SERVICES,**

Complainant,

DECISION

-against-

DAVID ROSEN,

Respondent.

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Pursuant to the designation duly made by the Hon. Gail S. Shaffer, Secretary of State, the above noted matter came on for hearing before the undersigned, Roger Schneier, on December 8, 1993 at the office of the Department of State located at 270 Broadway, New York, New York.

The respondent, of 208 W. 24th Street, Dear Park, New York 11729, was not present during the proceedings, having agreed prior to the hearing to surrender his certification as a real estate appraiser.

The complainant was represented by Supervising License Investigator Michael Coyne.

COMPLAINT

The issue before the tribunal was whether the respondent has the prerequisite qualifications to retain the certification as a residential real estate appraiser which was previously issued to him.

FINDINGS OF FACT

1) Notice of hearing together with a copy of the complaint was served on the respondent by certified mail on September 25, 1993 (Comp. Ex. 1).

2) The respondent has, based on his representations made with his application, been certified as a residential real estate appraiser since December 21, 1992 (Comp. Ex. 2).

3) By letter dated December 8, 1993 the respondent, with the agreement of the complainant, surrendered his certification as a residential real estate appraiser without prejudice to his reapplying, without the need for additional education or examination, at such time as he is able to satisfy the experience requirements contained in Executive Law Article 6E (Comp. Ex. 4).

DETERMINATION

WHEREFORE, IT IS HEREBY DETERMINED THAT the surrender without prejudice by David Rosen of his certification as a residential real estate appraiser is accepted. I recommend the approval of this determination.

Roger Schneier
Administrative Law Judge

Concur and So Ordered on:

GAIL S. SHAFFER
Secretary of State
By:

James N. Baldwin
Executive Deputy Secretary of State