

**BEFORE THE MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD**

**MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD**

COMPLAINANT

VS.

NO.: 31-1310

**JUDITH G. KITCHENS, APPRAISER
LICENSE NO. RA-72**

RESPONDENT

**BOARD DECISION ON ACCEPTANCE OF AFFIDAVIT OF
VOLUNTARY SURRENDER IN LIEU OF DISCIPLINARY PROCEEDINGS**

THIS CAUSE came before the Board on the 25th day of September, 2014 to consider the above-styled matter. The Board was advised that Respondent had submitted to the administrative office of the Board evidence of her submission of an Affidavit of Voluntary Surrender of Real Estate Appraiser License in Lieu of Disciplinary Proceedings (the "Affidavit"), dated September 24, 2014. The contents of the Affidavit are incorporated herein by reference, and the Affidavit is attached hereto as Exhibit "A."

The Board, after hearing and reviewing all evidence presented and upon due consideration thereof, finds by clear and convincing evidence:

JURISDICTION

That the Mississippi Real Estate Appraiser Licensing and Certification Board has jurisdiction of this cause, pursuant to the provisions of the Mississippi Real Estate Appraiser Licensing and Certification Act, Miss. Code Ann. §§73-34-1, *et seq.*, as amended (the "Act").

FINDINGS OF FACT

1. That Respondent, Judith G. Kitchens, is a State Certified Residential Real

Estate Appraiser, holding license number RA-72, and originally licensed by the Board on June 17, 1991.

2. That the Respondent filed the properly executed Affidavit dated September 24, 2014 with the administrative office of the Board as an offer to settle the Complaint herein.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this cause pursuant to the provisions of the Act.

2. The Board is authorized pursuant to Part 1501, Chapter 12, Rule 12.1 of the Rules and Regulations of the Board to resolve complaints by consent order or other informal disposition, which the Board determines is not precluded by law in this cause.

ORDER

The Board accepts the Affidavit of Voluntary Surrender of Real Estate Appraiser License in Lieu of Disciplinary Proceedings, filed in this cause, and under the terms and conditions set forth therein in paragraphs 1-17, and as incorporated fully herein by reference, as an agreed settlement of the Complaint herein.

SO ORDERED, this 1st day of October, 2014.

MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD

By: 

Gerald Barber, Chair
for and on behalf of the Board

CERTIFICATE OF MAILING

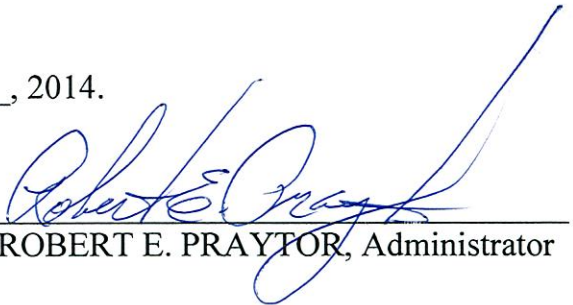
I, Robert E. Praytor, Administrator, hereby certify that on the date set forth hereinafter, a true and correct copy of the above and foregoing document was mailed by U.S. Mail, certified, return receipt requested, upon the following:

Judith G. Kitchens
4330 Southern Manor Drive N.
Lake Cormorant, MS 38641

And that a copy was mailed by U.S. Mail to:

Rick Sparkman, Esq.
7125 Getwell Rd.
Suite 201
Southaven, MS 38671

This the 1ST day of OCTOBER, 2014.



ROBERT E. PRAYTOR, Administrator

Received
SEP 26 2014
MS R.E. Appraisal Board

**BEFORE THE MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD**

**MISSISSIPPI REAL ESTATE APPRAISER
LICENSING AND CERTIFICATION BOARD**

COMPLAINANT

VS.

NO.: 31-1310

**JUDITH G. KITCHENS, APPRAISER
LICENSE NO. RA-72**

RESPONDENT

**AFFIDAVIT OF VOLUNTARY SURRENDER OF REAL ESTATE
APPRAISER LICENSE IN LIEU OF DISCIPLINARY PROCEEDINGS**

I, JUDITH G. KITCHENS, being of lawful age, swear and affirm under penalty of perjury, that:

1. I hold a Mississippi appraiser license as a STATE CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER, license # RA-72. Therefore, and pursuant to Miss. Code Ann. §73-34-1, *et seq.*, and the Rules and Regulations promulgated thereto, I am subject to all of the provisions, rules, regulations and statutes governing the appraisal of real property and licensure of real estate appraisers under Mississippi law.
2. I desire to surrender my appraiser license.
3. I am freely and voluntarily surrendering my appraiser license.
4. In surrendering my appraiser license, I am not subject to any duress or coercion.
5. I am aware that there is now pending a Complaint against me before the Mississippi Real Estate Appraiser Licensing and Certification Board ("Board"), being Complaint No. 31-1310.
6. The content and substance of the above referenced Complaint, and the contents of any of the Board's investigative files regarding said Complaint, are incorporated herein by reference.
7. I am aware and acknowledge that the allegations set forth in the above referenced pending Complaint, if proven, would constitute violations of the Mississippi Real

Estate Appraiser Licensing and Certification Act and/or the rules and regulations promulgated pursuant thereto, for which I could be subjected to discipline by the Board, up to and including revocation of my appraiser license.

8. I am fully aware of my rights to contest the allegations within the above referenced Complaint now pending against me. These rights include: representation by counsel of my choosing at my own expense; the right to an administrative hearing on the charges and allegations filed against me; the right to cross-examine witnesses called to testify against me; the right to present witnesses and evidence on my own behalf including the right to testify on my own behalf; the right to compel process to secure attendance of witnesses; the right to receive written findings of fact and conclusions of law supporting the Board's decision on the merits of the pending Complaint against me and the right to obtain judicial review of the Board's decision on the merits. In exchange for the Board's acceptance of the surrender of my appraiser license, I knowingly and voluntarily waive all of these rights.
9. I am aware that the surrender of my appraiser license shall not become effective until same has been approved by a majority of the Board.
10. I understand and acknowledge that this Affidavit shall be presented to the Board along with a recommendation of the Board Staff at the next scheduled meeting of the Board.
11. I understand and acknowledge that the Board is free to accept or reject the surrender of my appraiser license and, if rejected by the Board, a formal disciplinary hearing on the above referenced pending Complaint may be held.
12. I understand and acknowledge that, should the surrender of my appraiser license be rejected by the Board, said surrender shall be regarded as null and void. Any admissions I make in this Affidavit will not be regarded or accepted as evidence against me in any subsequent disciplinary hearing. I will be free to defend myself regarding the charges and allegations of the Complaint now pending against me and no inferences shall be drawn from my willingness to submit this Affidavit for consideration by the Board.
13. I understand, acknowledge and agree that neither the submission of this Affidavit nor the Board's consideration of same will be deemed to have unfairly or unlawfully prejudiced the Board or its individual members and therefore will not be grounds sufficient to preclude the Board or any of its individual members from further participation in any proceedings related to the matters set forth in this Affidavit.
14. I understand, acknowledge and agree that should the Board accept my voluntary surrender of my appraiser license, I cannot be identified as an Appraiser Intern, Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser.

15. I understand and acknowledge that should the Board accept my voluntary surrender of my appraiser license, this Affidavit and any subsequent Order of the Board in action thereon is considered a disciplinary action and, as such, will become part of my licensee file, subject to public records law, and will be reported to any applicable national registry as may be required and to any other state wherein I may hold licensure or credentials as a real estate appraiser.
16. My real estate appraiser license and pocket card are attached hereto.
17. I understand, acknowledge and agree that should the Board accept my voluntary surrender of my appraiser license, I cannot and will not apply for reinstatement for a period of at least five (5) years.

FURTHER, AFFIANT SAYETH NOT.

Signed: Judith G. Kitchens
JUDITH G. KITCHENS

STATE OF MISSISSIPPI

COUNTY OF DeSoto

SWORN TO AND SUBSRIBED BEFORE ME, this the 24th day of Sept, 2014.

Jacquelyn S. Burdett
NOTARY PUBLIC

My Commission Expires: Aug 1, 2017



STATE OF MISSISSIPPI
MISSISSIPPI REAL ESTATE APPRAISER
LICENSE AND CERTIFICATION BOARD
THIS IS TO CERTIFY THAT
LICENSE NO. RA-72

KITCHENS, JUDITH G
HAS BEEN GRANTED A LICENSE AS A
STATE CERTIFIED RESIDENTIAL
REAL ESTATE APPRAISER
FOR THE PERIOD 06/30/2013 - 06/30/2015

State of Mississippi



Mississippi Real Estate Appraiser Licensing
and Certification Board

Received

SEP 26 2014

MS R.E. Appraisal Board

This is to certify that
Whose place of business
is located at

JUDITH G. KITCHENS

4330 Southern Manor Drive N.
Lake Cormorant, MS 38641

License Number RA-72
ORIGINALLY LICENSED
06/17/1991

is duly licensed as a **State Certified Residential Real Estate Appraiser** in the State of Mississippi from the date of issuance. The license will remain in force when properly supported by a current pocket identification card. In witness thereof, the MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD has caused this license to be issued by virtue of the authority vested in it by Section 73-34 of the Mississippi Code of 1972 annotated.

In witness thereof, we have caused the Official Seal to be affixed,
this the 16th day of June, 2005

High Hope Jeffrey C. Sheet Anita Giffie
Robert Proctor Lenna Lukin Kemper Hodges

