

NEW BRUNSWICK ASSOCIATION OF REAL ESTATE APPRAISERS

Under section 23(1) of *An Act to Incorporate the New Brunswick Association of Real Estate Appraisers*, SNB 1994 c 108 (the "Act");

AND IN THE MATTER OF A HEARING BEFORE THE DISCIPLINE COMMITTEE INTO THE CONDUCT OF STEPHANIE ANGLEHART-PAULIN.

DISCIPLINE COMMITTEE DECISION

Date and Place of Hearing:	August 31, 2023 By Zoom Videoconference
Date of Decision:	September 1, 2023
Members of the Panel:	David Babineau, Chairperson Julie Clarke Norman DeMerchant Allan Currie Maurice Chassé, Public Representative
Appearances:	Michael Brenton, K.C. for the Respondent Stephanie Anglehart-Paulin. Dominic Caron for the New Brunswick Association of Real Estate Appraisers

1. This Panel of the Discipline Committee was constituted pursuant to section 22 of the *An Act to Incorporate the New Brunswick Association of Real Estate Appraisers*, SNB 1994 c 108 (the "Act") to investigate a complaint against the Respondent, Stephanie Anglehart-Paulin, a member of the New Brunswick Association of Real Estate Appraisers ("NBAREA").

Joint Submission

2. On July 18, 2018, the NBAREA received a complaint alleging that Ms. Anglehart-Paulin committed professional misconduct (the "Complaint").
3. The Complaint was submitted to NBAREA's Complaints Committee. On January 23, 2019, the Complaints Committee referred the Complaint to the Discipline Committee pursuant to subsection 21(3)(a) of the Act.
4. The NBAREA and Ms. Anglehart-Paulin, through their respective legal counsel, provided a Joint Submission to the Discipline Committee. The Joint Submission is attached to this decision as Appendix "A".
5. The Discipline Committee has reviewed the admissions made and sanctions proposed in the Joint Submission and accepts them as being consistent with the NBAREA's objectives, as set out in section 5 of the Act.
6. As such, the Discipline Committee hereby finds Ms. Anglehart-Paulin guilty of professional misconduct pursuant to subsection 23(2)(b) of the Act and sanctions her as follows:
 - a. a reprimand shall be placed in Ms. Anglehart-Paulin's file pursuant to subsection 23(4)(f) of the Act;
 - b. Ms. Anglehart-Paulin is fined \$3,000.00, payable within one (1) year, pursuant to subsection 23(4)(h) of the Act;
 - c. Ms. Anglehart-Paulin shall complete the following three courses or their equivalents (all courses through UBC Sauder School of Business and will count

towards the member's CPD requirements) within one (1) year pursuant to subsection 23(4)(d) of the Act:

- i. BUSI 442 (Case Studies in Appraisal 1) – instructor-led course; 15 weeks; offered three times per year (September, January, and May);
- ii. CPD 106 (Multi-family property valuation) – self-study course + quiz – available on-demand; and
- iii. CPD 160 (Law and Ethical Considerations in Real Estate Business) – self-study course + quiz – available on-demand; and

d. Ms. Anglehart-Paulin shall reimburse a portion of the Complaint's costs in the amount of \$1,500, payable within one (1) year, pursuant to subsection 23(4)(k) of the Act.

7. If Ms. Anglehart-Paulin fails to complete the conditions outlined in paragraph 6 above, the Registrar may suspend her registration pursuant to subsection 23(4)(d) of the Act.
8. Further, the NBAREA shall publish this decision on its website with Ms. Anglehart-Paulin's name for a period of one (1) year pursuant to subsection 23(4)(j) of the Act.

DATED at Saint John, New Brunswick this 6th day of September, 2023.



David Babineau, Chairperson

On behalf of the Discipline Committee

David Babineau, Chairperson
Julie Clarke
Norman DeMerchant
Allan Currie
Maurice Chassé, Public Representative

Appendix A

PROVINCE OF NEW BRUNSWICK

IN THE MATTER OF COMPLAINT 2018-4 AGAINST STEPHANIE ANGLEHART-PAULIN

AND IN THE MATTER OF THE PROVISIONS UNDER AN ACT TO INCORPORATE THE NEW BRUNSWICK ASSOCIATION OF REAL ESTATE APPRAISERS

JOINT SUBMISSION – COMPLAINT 2018-4

I. Background

1. Complaint 2018-4 (the “Complaint”) was filed against the Respondent Stephanie Anglehart-Paulin (the “Respondent”) by François LeBlanc on July 11, 2018 alleging professional misconduct;
2. The Complaints Committee of the New Brunswick Association of Real Estate Appraisers (the “Association”) referred the Complaint to the Discipline Committee on January 23, 2019;
3. The Notice of Hearing and the Record of exhibits were provided to the Respondent on August 18, 2023;
4. The Notice of Hearing was subsequently amended on August 23, 2023.
5. The Discipline Committee is scheduled to hold a hearing for the Complaint on August 31, 2023;
6. However, the Association and the Respondent have negotiated a joint submission for consideration by the Discipline Committee.

II. Counts in the Notice of Hearing

7. The allegations against the Respondent as found in the Notice of Hearing are as follows:

Ms. Angelhart-Paulin:

- (1) Made misleading statements in the appraisal reports and subsequent correspondence to Committees of NBAREA regarding the photographs featured in the 53-55 Maple and 157 Gould Street appraisal reports;

- (2) Failed to conform to reasonable appraiser standards in that, amongst other things she :
- a. Failed to use available comparable data in the direct comparison approach of both appraisal reports;
 - b. Failed to provide information and an analysis for the inclusion of adjustments in the direct comparison approach in both appraisal reports;
 - c. Included inaccurate information in the comparable sales in both appraisal reports;
 - d. Failed to provide information and an analysis regarding the substantial increase of the property value in comparison with the sale price;
 - e. failed to provide reasonable information and an analysis for solely relying on the income approach instead of the direct comparison approach;
 - f. Failed to include all relevant data in the income approach (e.g. no estimate of tax increase);
 - g. Miscalculated of the Cost approach; or
 - h. Committed numerous errors, omissions and inconsistencies in the reports.

III. Exhibits

8. The Exhibits in the record are as follows:

- (1)** Complaint of Francois LeBlanc date July 11, 2018 with attached partial Appraisal Reports;
- (2)** July 12, 2018 cover letter from Ms. Logan to Ms. Anglehart-Paulin, enclosing Complaint;
- (3)** Ms. Anglehart-Paulin's reply to the Complaint, dated July 31, 2018 with
3.1 53-55 Maple St Appraisal Report, and
3.2 157 Gould St Appraisal Report;
- (4)** Letter from Ms. Logan to Mr. Brenton dated Sept. 5, 2018, re: please provide working files;
- (5)** Copies of Ms. Anglehart-Paulin's working files for each report
5.1 53-55 Maple St working files, and
5.2 157 Gould St working files;
- (6)** MLS® Full Report for 55 Maple St;
- (7)** Letter from Ms. Logan to Mr. Brenton dated Nov. 22, 2018, enclosing questions for the member;
- (8)** Letter from Mr. Brenton to Ms. Logan dated December 28, 2018 , enclosing Ms. Anglehart-Paulin's responses (with addenda) to the Complaints Committee's questions;
- (9)** Letter from Ms. Logan to Ms. Anglehart-Paulin dated January 23, 2019 enclosing the decision of the Complaints Committee dated January 23, 2019;

(10) Notice of Hearing – Discipline Committee; and

(11) 2014 CUSPAP standards.

IV. Admissions

9. With respect to the Complaint as a whole and as part of this joint submission, the Respondent admits that she is guilty of professional misconduct and states the following:

(1) She made misleading statements in the appraisal reports and subsequent correspondence to Committees of NBAREA regarding the photographs featured in the 53-55 Maple and 157 Gould Street appraisal reports;

(2) She failed to conform to reasonable appraiser standards.

10. The Association is satisfied with these admissions from the Respondent and does not require the Respondent to admit to every sub-count (a., b., c., etc.) of count #2.

V. Joint Submission on Sanctions

11. Based on the foregoing, the Respondent and the Association jointly submit that the following order on sanction is appropriate in the circumstances.

a. Reprimand on her file;

b. Fine of \$3,000.00 to be paid within one (1) year;

c. Completion of the following 3 courses or equivalent (all courses through UBC Sauder School of Business and will count towards the member's CPD requirements) within one (1) year:

i. BUSI 442 (Case Studies in Appraisal 1) – instructor-led course; 15 weeks; offered three times per year (September, January, and May);

ii. CPD 106 (Multi-family property valuation) – self-study course + quiz – available on-demand;

iii. CPD 160 (Law and Ethical Considerations in Real Estate Business) – self-study course + quiz – available on-demand;

d. Partial reimbursement of Complaint costs of \$1,500 to be paid within one (1) year;

e. Failure to complete all conditions outlined in (a) to (d) above, the Respondent's registration may be suspended by the Registrar; and

- f. Publication of the decision on the Association website with the Respondent's name for a period of one (1) year.


12. Should the Discipline Committee wish to address any aspect of this joint submission, the Respondent and the Association jointly request the opportunity to make themselves available for representations at the pleasure of the committee.

DATED at Fredericton, NB this 23rd day of August, 2023.



Dominic Caron
Legal counsel for the Association

DATED at Saint-John, NB this 25th day of August, 2023.



Michael Brenton, K.C.
Legal counsel for the Respondent