

Ted Whitmer, Attorney MAI CCIM  
4030 Highway 6 South, STE 325  
College Station, TX 77845

Office: (979) 690-9465  
Fax: (979) 690-9485  
Email: [ted@tedwhitmer.com](mailto:ted@tedwhitmer.com)  
Website: [www.appraiserdefense.com](http://www.appraiserdefense.com)

This contract is between Ted Whitmer, Attorney and \_\_\_\_\_, (“appraiser”).  
[Fill in your name here, please print]

Complaint Number: \_\_\_\_\_

Date of Complaint: \_\_\_\_\_

Address of Property: \_\_\_\_\_

Type of Property(s): \_\_\_\_\_

All signatures on report: \_\_\_\_\_

The purpose of this contract is to define the services between Ted Whitmer, Attorney and appraiser. If you have any questions, please feel free to call. You are encouraged to contact your personal or other attorney concerning the terms of this agreement.

**Representation:** This contract is for representation by Ted Whitmer, Attorney with above appraiser to cover from date of this contract through THE INFORMAL CONFERENCE OR UNTIL THERE IS AN AGREED ORDERED (AO) that is agreed to prior to an Informal Conference with the Texas Appraiser Licensing and Certification Board (TALCB). The representation through the Informal Conference is likely to include the following steps.

- ❖ Contact by appraiser and discussions concerning complaint and answering complaint.
- ❖ Review of answer to complaint, offering advice and answering complaint to TALCB. Appraiser may come to College Station and discuss the complaint and answer.
- ❖ Contact with the TALCB and discussion of the case and informal conference date and time or offer to Agreed Order or to drop the case.
- ❖ Possible offer of Agreed Order (AO) before an informal conference and discussions with appraiser and TALCB concerning the offer of AO.
- ❖ Contact with appraiser concerning time and date of Informal Conference.
- ❖ Possible discussions with any potential witnesses to appear at Informal Conference.
- ❖ Review of appraisal, file and complaint.
- ❖ Meeting with appraiser the day before or day of the Informal Conference.
- ❖ Informal Conference: The informal conference is held in Austin and usually takes 1 ½ to 2 hours.
- ❖ Dismissal of case, offer of Agreed Order or postponement of TALCB decision.
- ❖ Discussion with appraiser concerning offer of Agreed Order.
- ❖ Communication with the TALCB concerning acceptance or refusal of Agreed Order.
- ❖ If accepted, reviewed and signed by Attorney and Appraiser.

**What is not covered:** This contract does not obligate Ted Whitmer to represent appraiser past the Informal Conference or Agreed Order if without an Informal Conference. The representation to a State Office of Administrative Hearing (SOAH) is not covered by this contract. The estimated fee to continue representation past the informal conference to a SOAH hearing is an additional \$3,000. This does not include any discovery or use of expert witness testimony nor any other expenses associated with this litigation. The cost of a SOAH hearing could exceed \$10,000 depending upon expert witnesses used and discovery. See paragraph following concerning civil or criminal cases concerning the appraiser or appraisal subject to the complaint. There is no guarantee of results from representation.

**Multiple Signatures on the Report:** The client is the appraiser that signs the contract letter. I am not representing any other signatures on the report. A complaint is made for each appraiser. If there is more than one complaint over the same appraisal or another appraisal but involving two different clients I can represent both to the TALCB. However, if there is any conflict or problem between the two or more appraisers and as an attorney there is a potential conflict in the representation of the appraisers I will have to withdraw from representation of both appraisers.

**Advisory Services for Criminal or Civil case related to a complaint:** I will work with a civil or criminal attorney related to the appraisal that is subject to a complaint for \$225 per hour. I am not obligated to contribute to a civil or criminal case in connection with the appraiser or appraisal subject to a complaint with the TALCB.

**Fee:** The following is a matrix for calculating the fee for legal services. I offer the services on a flat fee basis based upon the following. If you have insurance you will want to contact your carrier upon receipt of a complaint. Let them know you want to engage Ted Whitmer and find out if your insurance covers for TALCB representation.

Complaint concerning one single family residential appraisal		\$2,000
Additional reports under the same complaint number		\$250
Commercial reports or non-single family reports		\$2,500
Additional reports under the same complaint number commercial or non-single family		\$500
Representation for Experience Evaluation regardless of number of reports		\$2,000
Representation for non-compliance of an Agreed Order		\$2,000
Representation for denial of license or certification or renewal		\$2,000
<b>TOTAL FEE</b>	Write fee here ----->	

The fee will be paid before representation begins or agreed upon by separate agreement. The fee may be paid by check or on Paypal on the website AppraiserDefense.com.

Please note the above fee is per complaint. A complaint is defined as having an assigned separate complaint number assigned to it by the TALCB. If there is another complaint, the fee schedule above applies to any other complaint.

The above fee includes all normal business expenses of Ted Whitmer, including travel, copies, food, etc. Appraiser will not be billed for travel or normal expenses.

**Communications:** I will communicate with appraiser any important information concerning meeting times, offers from the TALCB or other important information within a reasonable time of receipt. Furthermore, appraiser should feel free to call or email me about the status of the complaint.

Communications between appraiser and Ted Whitmer are protected under the attorney/client privilege. I will keep conversations confidential. However, appraiser should know that any Agreed Order is published on the TALCB website and any agreement of violation of rule or USPAP is published on the ASC (Appraisal Subcommittee) website. Furthermore, any informal conference is subject to the Texas Open Meetings Act.

**Contact:** I may be contacted at the address, phone number and email address listed on the first page of this contract. Please list (print) all contact information following.

Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_  
Zip: \_\_\_\_\_  
  
Phone (work): \_\_\_\_\_  
Phone (cell): \_\_\_\_\_  
Phone (home): \_\_\_\_\_  
Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

**Results:** Ted Whitmer will diligently represent appraiser in this matter. Appraiser understands there is no guarantee of results because of this agreement or representation.

**Signatures:**

\_\_\_\_\_  
Appraiser

\_\_\_\_\_  
Ted Whitmer, Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date