

STATE OF ARKANSAS
ASSESSMENT COORDINATION DEPARTMENT

DEWAYNE MACK

PETITIONER

VS

Case #04-003

ASSESSMENT COORDINATION
DEPARTMENT

RESPONDENT

MODIFICATION OF DECISION

On March 1, 2006, this cause came on for hearing before the Assessment Coordination Department (ACD) Training and Certification Board (Board) pursuant to Arkansas Code Annotated (ACA) 25-15-208, the Arkansas Administrative Procedures Act.

Appearing in person was Petitioner Mr. Dewayne Mack and his Attorney, Mr. Eric G. Hughes of Wright, Berry, Hughes & Moore of Arkadelphia, Arkansas. Appearing for the Assessment Coordination Department was their General Counsel, Mr. Bob Leslie.

At the conclusion of the hearing the Board made finding of facts and conclusions of law and sustained the decision of the ACD and ordered that the suspension for one year of Mr. Mack's Appraisal Manager designation and the other requirements of him as set out in the November 10, 2004, letter. Mr. Mack appealed the decision of the Board to the Circuit Court of Clark County on. No decision has been reached in that court as of this date.

At the request of Mr. Mack the ACD has reconsidered its original decision and concluded that it is in the best interest of the parties and the taxpayers of the State of Arkansas to settle this matter and bring it to a close. The Board considers the terms of the settlement to be fair and equitable and hereby adopts the terms of the settlement in full. Under the terms of the settlement the original decision of the ACD has been modified to provide that Mr. Mack's Appraisal Manager designation is placed on probation for one year rather than suspended. It is noted that Mr. Mack voluntarily removed himself as Appraisal Manager of all counties in which he was the Appraisal Manager. In addition he has successfully completed the course work and all requirements as set out in the original decision and the probation period should be and it is hereby terminated. The suspension should be and it is hereby declared a nullity and Mr. Macks' Appraisal Manager designation shall be considered to have continued

uninterrupted. Also in accordance with the terms of the settlement, Mr. Mack has dismissed his appeal to the Clark County Circuit Court. The terms of the original Board Decision shall remain in full force and effect except as amended herein.

IT IS SO ORDERED this 26 day of October 2007.

MIKE PEARCE
CHAIRMAN

WILLIAM (JOE BILL) MEADOR
BOARD MEMBER

JANET TREVATHAN
BOARD MEMBER

APPROVED:
BOB LESLIE
Attorney for Assessment
Coordination Department

ERIC G. HUGHES
Attorney for Dewayne Mack