

**VIRGINIA REAL ESTATE APPRAISER BOARD**

**INFORMAL FACT-FINDING CONFERENCES  
DECEMBER 9, 2003 (10:00 AM)**

The Virginia Real Estate Appraiser Board convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act.

Robert A. Whaley, Board Member, Presided. No other board members were present.

Douglas Schroder appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD. and the Summaries or Consent Orders are attached unless no decision was made.

Disc=Disciplinary Case  
Lic=Licensing Application

C=Complainant/Claimant  
A=Applicant  
R=Respondent/Regulant  
Atty=Attorney  
W=Witness

**10:00 AM**

Christian Henri Manachi  
File Number 2004-01922 (Lic)

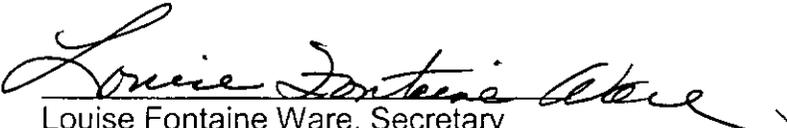
**Participants**

Manachi – A

The meeting adjourned at 10:45 a.m.

Virginia Real Estate Appraiser Board

  
\_\_\_\_\_  
David N. Castle, Chairman

  
\_\_\_\_\_  
Louise Fontaine Ware, Secretary

COPY TESTE:

\_\_\_\_\_  
Custodian of Records

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

REAL ESTATE APPRAISER BOARD

IN RE: CHRISTIAN HENRI MANACHI  
APPLICATION

FILE NUMBER: 2004-01922

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on December 9, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Christian Henri Manachi on November 12, 2003. The following individuals participated at the conference: Christian Henri Manachi, Applicant; Douglas W. Schroder, Staff Member and Robert A. Whaley, Presiding Board Member.

## Summation of Facts

1. Christian Henri Manachi (Manachi) applied for a real estate appraiser trainee license on or about September 26, 2003, and disclosed criminal conviction(s).
2. On or about November 6, 2003, the Board's licensing staff provided the Regulatory Programs Division Application Review Informal Fact Finding Conference Referral Memorandum, which states the reasons the license was not issued.
3. During the IFF, Manachi stated that he was arrested for stealing a watch while working for a moving company. He turned himself in and returned the watch. Manachi admitted that he was young and irresponsible. He also explained his marijuana arrest in 1996, which was subsequently dismissed. He was at a party that police raided, and everyone attending the party was arrested. His arrest in 2000 for destruction of property was due to an automobile accident that damaged city property. After he paid damages, it was dismissed.

## Prior Criminal Convictions

§ 54.1-204 of the Code of Virginia. Prior convictions not to abridge rights.

B. In determining whether a criminal conviction directly relates to an occupation or profession, the regulatory board shall consider the following criteria:

1. The nature and seriousness of the crime;

Manachi was convicted of Larceny, a misdemeanor, in Fairfax County General District Court on January 9, 1995.

2. The relationship of the crime to the purpose for requiring a license to engage in the occupation;

The purpose of licensure is to protect the health, safety, and welfare of the public. Manachi's conviction occurred over 7 years ago and he has had no further criminal charges or convictions since that time. Based upon his testimony and credibility at the conference, it does not appear that Manachi is a danger to the public.

3. The extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved;

Based upon the above information, it does not appear that granting Manachi a license will encourage any criminal activity.

4. The relationship of the crime to the ability, capacity or fitness required to perform the duties and discharge the responsibilities of the occupation or profession;

Due to the age of the crime and Manachi's actions since that time, I do not see any significant relationship of the crime to his fitness to engage in licensed activity.

5. The extent and nature of the person's past criminal activity;

Manachi was convicted of Larceny, a misdemeanor.

6. The age of the person at the time of the commission of the crime;

Manachi was approximately 20 years of age at the time of the crime.

7. The amount of time that has elapsed since the person's last involvement in the commission of a crime;

The last offense occurred on or about October 14, 1994.

8. The conduct and work activity of the person prior to and following the criminal activity; and

During the IFF, Manachi stated he was now working for a catering and an equipment company for the past 4 years as Operations Director. He has also worked in the restaurant business for a number of years.

9. Evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release.

Manachi was sentenced to 180 days, with 150 days suspended.  
Manachi served 30 days and paid his fine.

### **Conclusion and Recommendation**

Based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in § 54.1-204.B, I recommend Manachi's application be approved.

By: \_\_\_\_\_

Robert A. Whaley  
Presiding Board Member  
Real Estate Appraiser Board

Date: \_\_\_\_\_

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTEREST ACT

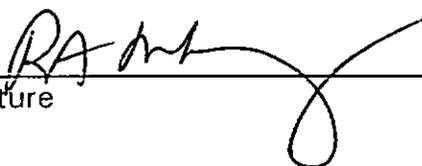
TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Robert A. Whaley
2. Title: Member
3. Agency: Virginia Real Estate Appraiser Board
4. Transaction: Informal Fact-Finding Conferences on December 9, 2003
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
Signature

12/9/03  
Date