

**OKLAHOMA REAL ESTATE COMMISSION  
AGENDA – BUSINESS MEETING  
January 14, 2009**

Preliminary Agenda

**I. OPENING OF BUSINESS MEETING**

- A. Call to Order: 8:30 a.m.
- B. Approval of Minutes from the November 12<sup>th</sup>, 2008 regular meeting
- C. Public Participation (Open Topic)
- D. The Commission May Vote to Approve, Disapprove or Take Other Action on Any Item Listed on this Agenda

**II. FORMAL ACTION – APPEALS/HEARINGS**

**A. APPLICANT APPEAL**

**A-2008-046** – Tom Benjamin Franklin Evans, Jr. (Broker) – Canton (Kisner): Administratively denied on August 12, 2008 based on the fact that he disclosed on his application that he had not been convicted of a crime, was not currently under investigation, was not on parole or probation and had not received a deferred sentence in the last ten years that was later dismissed. However, the applicant's Oklahoma State Bureau of Investigation (OSBI) report indicated the following information:

CM-2001-10 (January 7, 2001) Blaine County: Charged with Driving under the Influence (DUI) – Liquor or Drugs/Actual Physical Control of a Vehicle (APCV) Felony and received fines and costs, with one (1) year suspended upon plea of guilty to a misdemeanor. Fines and costs were paid in full, and suspended sentence was completed March 22, 2002.

Further, the applicant's license history reflects that he renewed his sales license on March 2, 2004, but failed to disclose the conviction he received on March 22, 2001.

**A-2008-048** – Shane Patrick Porterfield (PSA) – Edmond (Kisner): Mr. Porterfield was administratively denied on August 14, 2008, based on the fact that he disclosed on his application that he is currently on probation until January 2011 for assaulting a Police Officer. Information provided to and gathered by the Investigation Department revealed the following details:

CM-2004-4917 (December 4, 2004) Oklahoma City, Oklahoma: Charged with Driving under the Influence (DUI) – Liquor or Drugs/Actual Physical Control of Vehicle (APCV), and two (2) Traffic offense Misdemeanors. He received a two (2) year deferred sentence until January 5, 2008, \$35.00 Victim Compensation Assessment (VCA) and Department of Corrections Supervision per CF-05-3278. Costs totaling \$779.90 were paid in full.

CF-2005-3278 (May 22, 2005) Oklahoma City, Oklahoma: Charged with Felony Battery/Assault and Battery on Police Officer, and received a five (5) year deferred sentence until January 5, 2011, \$100.00 VCA, 15 weeks weekend incarceration, alcohol assessment and 40 hours of Community Service. Costs totaling \$455.90 were paid in full.

**A-2008-056** – Manuel Quezada (PSA) – Owasso (Sokolosky): *Mr. Quezada initially appeared before the Commission on November 12, 2008, but a decision on his application was tabled pending the appearance of a sponsoring broker.* Administratively denied on September 9, 2008 based on the fact that he did not answer the question on his application regarding criminal convictions. Information gathered by the Investigation Department revealed the following:

90-5517 (November 29, 1990) West Covina, California: Charged with Taking Vehicle without Owner's Consent/Vehicle Theft (Charge 1), Possession/Manufacturing/Selling Dangerous Weapon (Charge 2) and Burglary (Charge 3). Charge 1 was dismissed; he received probation on Charge 2 and 18 months probation, with 15 days in jail and restitution on Charge 3.

A153575 (March 13, 1991) Newport Beach, California: Charged with "Pers to Make Other Liab".

A153575 (May 28, 1991) Bell, California: Charged with Carrying a Concealed Weapon on Person and Carrying a Loaded Firearm in Public Place. He received 36 months probation and 45 days in jail, which was suspended after two days were served.

**A-2008-026 – Tammy R. Heims (Broker) – Canadian (Sokolosky):** *Ms. Heims initially appeared before the Commission on November 12, 2008, at which time a decision on her application was tabled pending expungement of deferred sentence.*

Administratively denied on June 3, 2008, based on the fact that she disclosed on her application that she pled "no contest" to embezzlement charges in Pittsburg County, Oklahoma in 2006 and disclosed that she is currently under investigation by a license-issuing agency. The applicant is currently under investigation by the Oklahoma Real Estate Commission (**Case C-2007-091**). Information provided to and gathered by the Investigation Department on August 22, 2007 revealed the following:

CF-2006-321 (May 1, 2007) Pittsburg County: Pled no contest to Embezzlement charges after it was discovered that after her employment as office manager with Realty World Service Professionals was terminated, \$500.00 in earnest money deposit received as cash and signed for by her was missing. All restitution and court costs have been paid, the six-month deferred sentence expired in February 2007 and the charges have been dismissed.

## **B. CONSENT AGREEMENT**

**C-2007-106 – Brenda Sue Prentice (SA) – Eufaula (Preslar):** Violations by Respondent: *Title 59 O.S. §858-312, Subsections 1, 8, 9 and 19*, in that on January 16, 2007, she submitted an application for a real estate provisional sales associate or sales associate license and failed to disclose that on February 23, 2005, she entered a guilty plea and was convicted of the crime of embezzlement in the State of California.

**Consented:** Respondent Brenda Sue Prentice has consented to a formal reprimand, administration of fines totaling One Thousand Five Hundred Dollars (\$1,500.00) and three (3) hours of continuing education in the subject of Professional Standards.

**C-2007-107 – Thomas Martin Coddling (SA) – Del City (Preslar):** Violations by Respondent:

*Title 59 O.S. §858-312, Subsections 8, 9 and 15*, in that on January 23, 2008 he plead guilty in the District Court of Oklahoma County, State of Oklahoma, to three (3) counts of willfully and knowingly operating a motor vehicle while under the influence of alcohol and to the charge of willfully and knowingly operating a motor vehicle after his driver's license had been revoked.

**Consented:** Respondent Thomas M. Coddling has consented to assessment of probation equal to the terms of his criminal proceeding, and submission of annual reports of the results from his random testing for drugs and/or alcohol until the end of his probation period (January 2014). Further, he has consented to mandatory self-reporting of any probation violation and/or new arrest(s) or charges within ten (10) days of their occurrence.

**C-2008-014** – **Sandra Lynn Sullivan (SA) – Chouteau** (Preslar): Violations by Respondent:

*Title 59 O.S. §858-312, Subsections 8, 9 and 19*, in that she pled nolo contendere (“no contest”) to Embezzlement by Employee on January 23, 2008 in Mayes County, Oklahoma.

**Consented:** Respondent Sandra Lynn Sullivan has consented to probation equal to the terms of her criminal proceeding, and will attend and complete three (3) hours of Continuing Education in the subject of Professional Standards and three (3) hours of Continuing Education in the subject of Laws and Rules. Further, she has consented to mandatory self-reporting of any probation violation and/or new arrest(s) or charges within ten (10) days of their occurrence.

**C-2008-035** – **Franklin DeWayne Workman (BM) – Elgin** (Preslar): Violation by Respondent:

*Title 59 O.S. §858-312, Subsection 15*, in that he pled “no contest” to Domestic Assault and Battery and received a one (1) year suspended sentence.

**Consented:** Respondent Franklin DeWayne Workman has consented to a formal reprimand and assessment of an administrative fine of Three Hundred Dollars (\$300.00).

**E-2007-001** – **Timothy J. Griffin (BP) – Tulsa** (Preslar): Violations by Respondent:

1) *Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-5-1.1(j,6)*, in that he may have improperly subjected women to offensive physical contact and made verbal offensive and explicit references to the female anatomy in a demeaning manner within a classroom setting, and

2) *Title 59 O.S. §858-312, Subsection 9 and Rules 605:10-5-1(k,7) and 605:10-5-1(i,3)*, in that he may have provided completion certificates to a student prior to the student's completion of the course.

3) *Rule 605:10-5-1(k,6) and 605:10-5-1(k,7)*, in that he may have, in 2008, taught and/or purported to teach the Basic 90 Clock Hour Course in real estate, for which he had not been approved by the Commission.

**Consented:** Respondent Timothy J. Griffin has consented to surrendering of his teaching credentials.

## **C. HEARING EXAMINER REPORT**

**U-2007-003** – **Paramount Property Group LLC, David K. Peek (Unlicensed), Becky L. Peek (Unlicensed), Melissa Wheeler (Unlicensed), Robin Johnson (Unlicensed), Sunny Heusman (Unlicensed) and Angela Ayling (Unlicensed) – Oklahoma City** (Sokolosky): On August 5, 2008 the Hearing Examiner reported that Respondents Robin Johnson, Sunny Heusman and Angela Ayling had not violated any provision of the Oklahoma Real Estate Code or the Rules of the Commission, but that Respondents Paramount Property Group LLC, David K. Peek, Becky L. Peek and Melissa Wheeler were found in violation of *Title 59 O.S. §858-401*, in that they listed, advertised, rented and leased multi-family units belonging to others during a period of time when Respondents were unlicensed.

**Recommend:** Dismiss case against Respondents Robin Johnson, Sunny Heusman and Angela Ayling; and that Respondents Paramount Property Group LLC, David K. Peek, Becky L. Peek and Melissa Wheeler be ordered to pay a civil penalty fine in the total sum of **Six Hundred Eighty-eight Thousand, Five Hundred Fifty One Dollars** (\$688,551.00), to be assessed as follows:

Paramount Property Group LLC	\$ 216,800.50
David K. Peek	\$ 216,800.50
Becky L. Peek	\$ 156,950.00
Melissa Wheeler	<u>\$ 98,000.00</u>
	<b>\$ 688,551.00</b>

However, 90% of the above fine, or \$619,696.00, is hereby suspended and the remainder of the fine, or **Sixty-eight Thousand, Eight Hundred Fifty-five Dollars and Ten Cents** (\$68,855.10), shall be paid as hereinafter ordered:

Paramount Property Group LLC (33%)	\$ 21,680.05
David K. Peek (30%)	\$ 21,680.05
Becky L. Peek (23%)	\$ 15,695.00
Melissa Wheeler (14%)	<u>\$ 9,800.00</u>
	<b>\$ 68,855.10</b>

*Executive Session pursuant to 25 O.S. §307(B)(8), for the purpose of discussing the Hearing Examiner's recommendation and appropriate discipline, if any.*

1. Vote to enter into Executive Session.
2. Discussion in Executive Session.
3. Vote to return to open session.
4. Commission to vote/take appropriate action on Hearing Examiner's recommendation.

**C-2005-070** – **Larry L. Sells (BA) – Oklahoma City** (Kisner): On May 30, 2008, the Hearing Examiner reported that Respondent Larry L. Sells was found in violation of *Title 59 O.S. §858-312, Subsections 8, 9 and 15*, in that he was convicted of crimes of moral turpitude, they being Possession of Obscene Material Involving the Participation of a Minor Child Under the Age of Eighteen, and Distribution of Obscene Materials.

**Recommend:** That the Oklahoma Real Estate Broker License of Respondent Larry L. Sells be revoked.

*Executive Session pursuant to 25 O.S. §307(B)(8), for the purpose of discussing the Hearing Examiner's recommendation and appropriate discipline, if any.*

1. Vote to enter into Executive Session.
2. Discussion in Executive Session.
3. Vote to return to open session.
4. Commission to vote/take appropriate action on Hearing Examiner's recommendation.

### III. COMPLAINTS/INVESTIGATIONS

#### A. **CASE EXAMINER REPORT/PRELIMINARY INVESTIGATION**

**C-2007-069** – **Jena Marie Carolan (BP) – Stigler** (Sokolosky): Possible violations by Respondent Carolan:

- 1) *Title 59 O.S. §858-312, Subsections 6, 8 and 9 and Rule 605:10-17-4(12)*, in that she may have taken money from the complainants and failed to render an accounting, and fraudulently misled the complainants into investing their money; and

2) *Title 59 O.S. §858-312, Subsections 6, 8 and 9 and Rule 605:10-13-1 (A)(C)(E)(F)*, in that she may have failed to account or remit monies, documents and other property coming into her possession and collected money from the complainants and failed to deposit same into a registered trust account as required by the Commission Code and Rules.

**Recommend:** Set Formal Hearing.

**C-2007-111 – Homeowners Marketing Realty and Relocation Incorporated and Ellen Stewart (B) – Sapulpa** (Kisner): Possible violations by Respondents Homeowners Marketing Realty and Relocation Incorporated and Ellen Stewart:

1) *Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(12)*, in that they may have failed to fulfill the terms of an agreement made with the Complainant;

2) *Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(13)*, in that they may have failed to act in marketing their own property with the same good faith as when acting in the capacity of a real estate licensee, as they failed to ensure the Complainant received all funds guaranteed to her from the closing of the property;

3) *Title 59 O.S. §858-312, Subsection 6 and Rule 605:10-13-4(I)*, in that they may have failed to provide a settlement statement to the Complainant after closing;

4) *Title 59 O.S. §858-312, Subsection 22*, in that they may have entered into an agreement to facilitate a down payment assistance payment for Jeff and Lisa Sylvester in connection with the sale of property located at 13264 W. 111<sup>th</sup> Street, Sapulpa, Oklahoma, which closed on August 8, 2007;

5) *Title 59 O.S. §858-312, Subsections 3 and 9 and Title 58 O.S. §858-352(A,1)*, in that they may have refused to submit payment to the Complainant for proceeds from the closing of real property in which Respondent Stewart guaranteed Complainant the sum of \$50,000.00, and

6) *Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(9)*, in that they may have refused to submit copies of all documents relating to this case after three (3) written request for such documents were issued to the Respondents.

**Recommend:** Set Formal Hearing.

**C-2008-020 – Trustworthy Realty LLC and Charla C. Griffin (BM) – Norman** (Kisner): Possible violations by Respondents Trustworthy Realty LLC and Charla C. Griffin:

1) *Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-13-1(e)*, in that they may have failed to register Trustworthy Realty LLC Trust Account Number 1036998 with the Commission;

2) *Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-13-1(a)(1)(c)(e)*, in that they may have registered Trustworthy Real Estate Operating Account Number 1037005 as a Trust Account with the Commission;

3) *Title 59 O.S. §858-312, Subsections 9 and 16 and Rule 605:10-13-1(b)*, in that they may have commingled licensees' own money with the money and property of others, in that they transferred funds totaling \$1,220.00 from the account of Trustworthy Services LLC to Trustworthy Realty LLC trust account; and

4) *Title 59 O.S. §858-312, Subsections 8 and 9, Title 59 O.S. §858-364(A)(1) and Rule 605:10-17-4(12)*, in that they may have taken money from complainant without her knowledge or consent and converted same to their own use.

**Recommend:** Set Formal Hearing.

**C-2008-024 – Churchill Brown and Associates Incorporated, Sheila R. Cortese (BM) and Karen L. Blevins (SA) – Oklahoma City (Kisner):**  
***(AMENDED REPORT OF CASE EXAMINER PREVIOUSLY SUBMITTED AT THE NOVEMBER 12, 2008 MEETING)***

Possible violations by Respondents Churchill Brown and Associates Incorporated and Sheila R. Cortese:

*Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4(6)*, in that they may have failed to properly supervise the activities of Respondent Karen Blevins, in that they failed to ensure the Respondent Blevins provided all documents to all parties in the transaction in question.

Possible violations by Respondent Karen L. Blevins:

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(12), in that she may have failed to provide copies of all documents which she had received regarding the roof of the home which complainants were purchasing, and may have failed to disclose all information which she had received regarding said roof.

**Recommend:** Set Formal Hearing.

**C-2007-122 – Johnna Beth Treat (SA) and Patrice Ann Sullivan (SA) – Lawton (Day):**  
Possible violations by Respondent Johnna B. Treat:

1) *Title 59 O.S. §858-312, Subsections 8 and 9; Rule 605:10-13-1(a)(1) and Rule 605:10-17-4(12)*, in that she failed to deposit earnest monies into her broker's trust account.

Possible violations by Respondent Johnna B. Treat and Patrice A. Sullivan:

1) *Title 59 O.S. §858-312, Subsections 2, 5, 8 and 9, and Rule 605:10-17-1(2)*, in that they may have attempted to represent a broker other than the broker whom they were associated without the express knowledge and consent of the broker with whom they were associated.

**Recommend:** Set Formal Hearing.

**C-2008-010 – Churchill Brown & Associates Incorporated, Sheila R. Cortese (BA) and Charlotte Lee Kazemi (SA) – Oklahoma City (Day):** Possible violations by Respondent Charlotte L. Kazemi:

*Title 59 O.S. §858-312, Subsections 8 and 9, and Rule 605:10-17-4(10) and (16)*, in that she allowed Buyer to occupy the property of Complainants without the authorization of Complainants.

**Recommend:** Close case against Respondents Churchill Brown and Associates Incorporated and Sheila R. Cortese, and set Formal Hearing against Respondent Charlotte L. Kazemi.

**C-2008-028 – Ryan Keith Noe (SA) – Oklahoma City (Day):** Possible violations by Respondent Noe:

*Title 59 O.S. §858-312, Subsections 8 and 9*, in that he plead guilty to the charge of willfully and knowingly operating a motor vehicle while under the influence of alcohol.

**Recommend:** Set Formal Hearing.

**C-2008-032** – **H & W Realty Incorporated and Gordon Watson Jr. (BM)** – **Oklahoma City (Day)**: Possible violations by Respondents H & W Realty Incorporated and Gordon Watson Jr.:

*Title 59 O.S. §858-312, Subsection 9; Rule 605:10-13-1(h) and (i), and Rule 605:10-13-3(a) and (b)*, in that they failed to comply with the rules and regulations concerning the return of earnest money.

**Recommend:** Set Formal Hearing.

**C-2008-033** – **Madison Avenue Realty Corporation, Shirley J. Manuel-Isiah (BM) and Karen R. Ponder (SA)** – **Oklahoma City (Day)**: No evidence was received to indicate any violation of the Oklahoma Real Estate License Code or the Rules of the Oklahoma Real Estate Commission.

**Recommend:** Close case.

**C-2008-034** – **Century 21 Gold Castle Realty North LLC, Joseph P. Brennan (BM) and Angela Wright Rogers (BA)** – **Oklahoma City (Day)**: No evidence was received to indicate any violation of the Oklahoma Real Estate License Code or the Rules of the Oklahoma Real Estate Commission.

**Recommend:** Close case.

**C-2008-041** – **Homequest OKC LLC, and Paul Thomas Nelson (BM)** – **Oklahoma City (Day)**: Possible violations by Respondents Homequest OKC LLC and Paul T. Nelson:

1) *Title 59 O.S. §858-312, Subsections 6 and 8 and Rule 605:10-13-1(1) and (2), and Rule 650:10-17-4(12)*, in that they may have failed, within a reasonable amount of time, to account for or to remit any monies, documents or other property coming into the possession of Respondents which belonged to Complainant;

2) *Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-13-1(1) and (2), and Rule 650:10-17-4(12)*, in that they may have failed to deposit and account for trust/escrow funds coming into the possession of Respondents belonging to Complainant.

**Recommend:** Set Formal Hearing.

**U-2008-002** – **Michelle Hughes (Unlicensed) and The Housing Network (Unlicensed) – Tulsa (Holmes)**: Possible violations by Respondents Michelle Hughes and The Housing Network:

1) *Title 59 O.S. §858-102(2), Title 59 O.S. §858-301 and Title 59 O.S. §858-401*, in that they may have conducted real estate transactions which require an active real estate license.

**Recommend:** Set Formal Hearing.

**UC-2008-001** – **Seth David Thomas (Unlicensed), Margaret Womack Real Estate Services LLC and Lola Margaret Womack (BM)** – **Norman (Holmes)**: No evidence was presented to indicate that Respondents Seth David Thomas, Margaret Womack Real Estate Services LLC or Lola Margaret Womack violated any provision of the Oklahoma Real Estate License Code or the Rules of the Commission.

**Recommend:** Close case against Respondents Margaret Womack Real Estate Services LLC and Lola Margaret Womack, and close case with a letter of caution against Respondent Seth D. Thomas.

**UC-2008-007 – Michael Metoyer (Unlicensed) – Alexandria, Louisiana; Richard Allen Colbert, Jr. (SA) – Yukon; Gene Lowell (BM), and ABW Incorporated – Oklahoma City (Holmes):** Possible violations by Respondent Richard A. Colbert, Jr.:

- 1) *Title 59 O.S. §858-312, and Rule 605:10-17-4(14)*, in that he may have intentionally acted in the capacity of a broker or branch office broker without possessing the license of a broker or branch office broker;
- 2) *Title 59 O.S. §858-312(9) and Rule 605:10-11-1(a)*, in that he may have performed acts outside the supervision of his broker, ABW Incorporated (Gene Lowell);
- 3) *Title 59 O.S. §858-356(B), and Rule 605:10-15-2(a)(1)*, in that he may have failed to execute a broker service agreement with Richard Parker, and
- 4) *Title 59 O.S. §858-312(3), and Rule 605:10-13-1(a, 1,c)*, in that he may have failed to register Richard Parker's Trust Account in the name of his broker.

Possible violations by Respondent Michael Metoyer:

- 1) *Title 59 O.S. §858-102(2), Title 59 O.S. §858-301 and Title 59 O.S. §858-401*, in that he may have conducted real estate transactions which require an active real estate license.

No evidence was presented to indicate that Respondents Gene Lowell and ABW Incorporated violated any provision of the Oklahoma Real Estate License Code or the Rules of the Commission.

**Recommend:** Close case against ABW Incorporated and Gene Lowell; Set Formal Hearing for Michael Metoyer and Richard A. Colbert, Jr.

## **B. INVESTIGATORS REPORT**

**C-2008-019 – John Hausam Incorporated, John Louis Hausam (BM) and Kari Lynette Brown (SA) – Tulsa (Baker):** Complainants alleged that Respondent Brown was responsible for a burglary that occurred at the complainant's home while it was listed for sale. Complainants stated that items were either damaged or stolen during the incident. Based upon this investigation and other evidence received, there is no indication of any violation of the Oklahoma Real Estate License Code and Rules.

**Recommend:** Close case.

**C-2008-052 – Elgin Realty LLC, Kelly R. Bridges (BM), Julie Ann Bridges (SA) and Terri Lynn White (BA) – Elgin (Danley):** Complainants alleged that the respondents allowed the buyer to access their property prior to closing without permission, which led to the complainant filing a trespassing and vandalism complaint report with the Comanche County Sheriff's Department.

Based upon this investigation and other evidence received, there is no indication of any violation of the Oklahoma Real Estate License Code and Rules.

**Recommend:** Close case.

**C-2007-109 – Sunbelt Group Incorporated, Steve D. Clinkenbeard (BM), Sunbelt Group Incorporated (BO), Stan Miller (BB) and Glenda Hendricks (SA) – Fort Gibson (Danley):** Complainants alleged that Respondent Hendricks told them their home warranty would cover everything that could go wrong with the home they had purchased. After closing, the air conditioner and stove ceased operations, and neither was covered by the home warranty.

Based upon this investigation and other evidence received, there is no indication of any violation of the Oklahoma Real Estate License Code and Rules.

**Recommend:** Close case.

**C-2007-101 – Ann Metheny (BP) – Chandler (Kueffler):** Complainants alleged that Respondent Metheny failed to ensure the proper property line was used during a survey of property they were selling. The complainants alleged this misrepresentation has caused them to suffer a financial loss of approximately \$12,000.00.

Based upon this investigation and other evidence received, there is no indication of any violation of the Oklahoma Real Estate License Code and Rules.

**Recommend:** Close case.

**C-2008-031 – Enid Premier Real Estate Incorporated, Larry J. Smith (BM) and Gary Lyn Young (SA) – Enid (Kueffler):** Complainant alleged Respondent Young repeatedly crossed her property without permission and against her expressed wishes. She alleged he tried to coerce her into granting access through her property despite her repeated refusal to do so. Additionally, she alleged Respondent Young made threats while promoting the sale of property adjacent to her own that could diminish her property value. Based upon this investigation and other evidence received, there is no indication of any violation of the Oklahoma Real Estate License Code and Rules.

**Recommend:** Close case.

**C-2008-036 – William Leon Johnson (SA) – Moore (Kueffler):** Respondent Johnson indicated on his renewal form that he had been convicted of a crime and that he had previously reported the information to the Commission. Commission records did not reflect information regarding the respondent's conviction.

The respondent was requested to provide information regarding his conviction on April 2, 2007, but failed to respond. A second request was issued on March 24, 2008 with a demand for a Federal Bureau of Investigation (FBI) Criminal History Report. The report was dated July 24, 2007 and received at the Commission on May 13, 2008, the results being "No Arrest Record".

Based upon this investigation and other evidence received, there is no indication of any violation of the Oklahoma Real Estate License Code and Rules.

**Recommend:** Close case.

**C-2008-042 – CSR LLC, Charles S. Raper (BM), Robert Owen Goolsby (SA) and Charles Shawn Raper (BA) – Muskogee (Kueffler):** Complainant alleged the respondents allowed the purchaser to gain access to her property and begin moving in his personal belongings prior to closing.

Based upon this investigation and other evidence received, there is no indication of any violation of the Oklahoma Real Estate License Code and Rules.

**Recommend:** Close case with a letter of caution.

#### **IV. FINANCIAL AND FISCAL**

- 1) Financial report as of FY December, 2008

#### **V. EDUCATION**

Report from the Education and Licensing Program Director

## **VI. INDUSTRY UPDATES**

- 1) Report from Rebate Task Force
- 2) Report from Broker Relationship Act Task Force
- 3) Report from Contract Committee
- 4) Report from Errors and Omissions (E&O) Task Force
- 5) Report from Real Estate Research Center Task Force

## **VII. GENERAL BUSINESS**

- 1) Emergency Rule approval
- 2) Consideration of items to be discussed at next Commission Meeting

## **VIII. NEW BUSINESS**

Any new business not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda

## **IX. ACTION ON NEXT MEETING DATE**

February 11, 2009

## **X. ADJOURNMENT**