



Oklahoma Real Estate **Commission Comment**

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Oklahoma Real Estate Commission

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Broker Relationships Statute Effective November 1, 2013

The broker relationships law that was passed by the legislature last year will go into effect November 1, 2013. The Commission has completed developing rules to implement the new law and those rules are going through the promulgation process. The development of the education content is in the final stages and education workshops are scheduled as follows:

OKLAHOMA CITY

May 2, 2013

Francis Tuttle

Technology Center 1

2777 North Rockwell Avenue

Campus Center Building (previously bldg.1)

Oklahoma City, OK 73142

TULSA

May 3, 2013

Tulsa Technology Center – Riverside Campus

801 East 91st Street

Alliance and Conference Center, Room A-150

Tulsa, OK 74132

Sessions are scheduled for:

9:00 am to 12:00 noon or 1:00 pm – 4:00 pm

Seating is limited, so please schedule to attend by calling the Commission at 405-522-8546.

This is Your Last Hard Copy Issue of the “Commission Comment” Newsletter

The time has come for the Commission to eliminate the printing and distribution of the hard copy newsletter as the costs of printing and postage makes it no longer feasible or cost effective for the agency; therefore, this will be the last hard copy publication of the “Commission Comment”.

We are excited about the new layout and format of the newsletter which we will send you if you have a registered email address on file. If you remember, the Commission has been encouraging you to update your personal contact information online so that you will be able to receive special announcements, publications and notice of your upcoming license renewal. If you have not already registered an email address, please do so now by going to the Commission’s website at www.orec.ok.gov.

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Chairman's Corner

One of the great things about Oklahoma's Real Estate Commission is the staff. Many of our staff members have been with the Commission for more than ten years. The knowledge and skills they possess, and the personal history they have with our agency, are invaluable. Every licensee in the state benefits from our staff's expertise and experience.

One of our great assets has been our Executive Director Anne Woody. Anne began her work at the Oklahoma Real Estate Commission as a Typist Level II when she was still a teenager and has been with us pretty much ever since. She is one of the longest-serving employees in the history of our Commission. She worked up her way up through many positions at the Commission, becoming Executive Director in 2001. If you call Anne with a question about OREC and our history, she will know the answer – or know who else to call and have an answer for you in five minutes.

As you may already know, Anne has announced her retirement from the Real Estate Commission effective March 1. Anne, you have been an outstanding Executive Director and we will miss you. We wish you the best in this next chapter of your life.

As a chapter ends for Anne, a chapter begins for our new Executive Director Charla Slabotsky. The Commissioners hired Charla on January 17. Charla comes to us from the Oklahoma Association of REALTORS®, where she was the Senior Vice President of Government Affairs. Charla worked for OAR for almost 17 years and has been heavily involved in legislative and political issues. Welcome, Charla!

And of course, another new chapter is about to begin for all Oklahoma real estate licensees, with the implementation of the new Broker Relationships Act on November 1. The Commission is working to make sure everyone is fully educated on the new law and plan to hold four free courses, with two scheduled in Oklahoma City on May 2 and two in Tulsa on May 3. Hope to see you there!



Pete Galbraith
Chairman

OK Attorney General Issues Consumer Alert on Complaint Website Scam

Attorney General Scott Pruitt has issued a warning for Oklahoma real estate licensees and consumers to be alert of a fraudulent real estate complaint site.

The website, REALTOR-complaints.com, is being investigated for fraudulent information, including falsified negative reviews. Every rating listed on the website – including those for contractors, roofer and real estate professionals – is listed with a bad review. The website asks each reviewed professional to pay up to \$100 to an

account in the Bahamas in order to have the review removed from the website.

“Oklahoma consumers need to be wary of information provided on a website unless they are familiar with the company,” General Pruitt said. “We urge any professionals who have been a victim of this scam to contact our Public Protection Unit.”

To report suspected fraud or scams to the Attorney General's Office, contact (405) 521-2029, (918) 581-2885 or PublicProtection@oag.ok.gov.

BY ORDER OF THE COMMISSION

DISCIPLINARY ACTIONS By Order of the Commission

MAY (2012)

C-2010-028: Economy Rentals Incorporated and Teri L. Bruehl (BM) – Oklahoma City

Economy Rentals Incorporated and Teri L. Bruehl in violation of:

Title 59 O.S. §858-312, Subsections 9 and 15, in that Teri L. Bruehl entered a plea of Guilty to two (2) counts of Forgery in the Second Degree in the District Court of Oklahoma County, State of Oklahoma.

The licenses of Respondents Economy Rentals Incorporated and Teri L. Bruehl were revoked by order of the Commission, effective 06-14-12.

C-2011-012: Economy Rentals Incorporated and Teri L. Bruehl (BM) – Oklahoma City

Economy Rentals Incorporated and Teri L. Bruehl in violation of:

Title 59 O.S. §858-312, Subsections 6 and 9 and Rule 605:10-13-1(a,1,E), in that Terri Bruehl issued a check in the sum of \$472.50 which was returned “Not Sufficient Funds”.

The licenses of Respondents Economy Rentals Incorporated and Teri L. Bruehl were revoked by order of the Commission, effective 06-14-12.

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The Oklahoma Real Estate Commission Comment

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John Mosley Chickasha
Charla J. Slabotsky, Executive Director Staff

Address all communications to the
Commission Office

“Use your zip code and ours when you write to us”

Commission Hires New Executive Director

On January 17, 2013, the Commission hired Ms. Charla Slabotsky to the position of Executive Director effective March 1, 2013.

Ms. Slabotsky comes to the Commission after serving 16 years with the Oklahoma Association of Realtors. At the association Ms. Slabotsky served as Senior Vice President of Government Affairs focusing on communication, professional development and legislative and political issues, wherein she worked at the State Capitol to lobby real estate industry legislation. In the past Ms. Slabotsky worked closely with the REALTORS® Political Action Committee, served as Treasurer for the RPAC Trustees and was actively involved in RPAC

fundraising. Ms. Slabotsky was a member of the National Association of REALTORS® State and Local Issues Committee, State Chamber, Oklahoma Society of Association Executives, and the Oklahoma Property Records Education Partnership. She served as OAR staff liaison to the Real Estate Issues Committee and Government Affairs Committee.

Ms. Slabotsky is a lifelong Oklahoman and grew up in Atoka. She earned her Bachelor of Arts degree in Journalism/Public Relations from the University of Oklahoma in 1994, and her Master of Business Administration degree from OU in 2002. She and her husband, Jay, live in Oklahoma City with their daughter Cate and son Adam.

Welcome aboard Charla.



Charla J. Slabotsky

Executive Director Retires After Service Spanning 40 Years

It has been an extreme honor and privilege to work for the state and citizens of Oklahoma and real estate consumers and licensees. Work was never boring nor stagnant as creative real estate licensees made sure of that.

I was hired by Joseph T. Frizzell (the first Executive Director of the Commission) in January, 1973 and at that time this is how things were at the Commission:

- 3 Commissioners
- 18,796 licensees
- license fees were \$12.00 for a broker and \$5.00 for a sales associate
- all licenses were issued for a term of one year (or less) and expired on December 31
- a \$1,000.00 (one thousand dollars) surety bond was required with each license renewal
- bulk examinations were given twice a year (at the Skirvin Hotel, fair grounds, etc.)
- examinations were printed on presses that we hand-typed on press paper and printed ourselves
- pre-license schools were: Zelma King School of Real Estate, Blackwood Business College, Professional Real Estate Preparation, Feuerborn School, Sooner and J.D. Sapp School of RE, to name a few
- all money that was received by the Commission required a receipt that had to be hand-written
- license files were maintained in huge filing cabinets called "lektriviers"

- all changes to a license file were noted in the license file but were also recorded on a small note cards and kept in a file by the supervisor, so when calls were received (from the public or licensee), the supervisor could answer any question pertaining to the status of the license
- there was no investigative department or computers to be seen; and
- I was paid a salary of \$370.00 a month (which I was glad to receive).

My, how times have changed. However, a few of things have remained the same and I am referring to the Commissioners and staff. I am proud to have assisted the many Commissioners who so diligently and professionally served the Commission, consumers and licensees. Each Commissioner taught me something about the industry and I am so appreciative of that because it made my job that much easier. All past Directors of the Commission (Joe Frizzell, Charles C. Case, Jr. and Norris Price) taught me something as well – yes even Norris Price. As for the staff, they showed me what it was like to supervise a team of professionals who, to this day, are dedicated to providing efficient and quality service to all customers they come in contact with.

In addition, I want to thank the many people who served on committees and task forces over the years as they provided the Commission with their knowledge and expertise which assisted us in getting the job done. I bid farewell as a state servant.



Anne M. Woody

New Commission Location Special Notice

The Commission's office is now located in the Denver N. Davison Building, 1915 North Stiles, Suite 200, Oklahoma City, Oklahoma 73105. The building is a secured facility requiring all customers to go through a security check point where persons and property are subject to search. You are not allowed to bring weapons (knives of any kind, mace, firearms, etc.) into the building or they will be seized.

Also be advised that the post office no longer forwards mail to us from the Shepherd Mall location.

ARELLO Boundaries publications – December 2012

(published with permission)

Florida Identity Theft Scam Targets Real Estate Licensees

One might think that the broad recognition and reporting of email and other types of identity theft scams would prompt perpetrators to either abandon their schemes or develop new variations. That doesn't seem to be the case, however, as evidenced by a consumer alert issued in early October by the Florida Department of Business and Professional Regulation (FDBPR) that warns of a now well-worn identity theft scam in which perpetrators impersonate regulators.

According to its announcement, the FDBPR learned that an unknown entity was posing as the Department through unsolicited and official-looking emails that falsely warn of pending disciplinary actions against real estate, and possibly other, licensees. A real estate broker who responded to the email and called the provided telephone number was greeted by an "investigator" who solicited the licensees' personal identification information in order "to locate the disciplinary file."

The FDPBR confirmed that the email communications are in no way connected with the Department or its regulatory authority and warned real estate and other license holders that, if a licensee receives an email from an entity claiming to be the Department and warning of disciplinary action, he or she should not respond to the email or call the listed number. Instead, the licensee should contact the Department at its direct dial telephone number listed at www.myfloridalicense.com. The website also provides licensees with the ability to log into their online accounts to view any public disciplinary actions. FDPBR Secretary Ken Lawson told the St. Augustine Historic

City News that, although licensee's records are generally public, personal identification information such as social security and driver's license numbers are protected. The Department warned licensees against providing such identification information to unknown individuals or companies who have made unsolicited contact with them, and to contact law enforcement officials in that event.

A similar announcement released in September by the New York State Department of State confirms the ongoing nature of regulatory impersonation schemes. Impersonators have been calling New York licensees at their home or business telephone numbers under the guise of an alleged outstanding disciplinary case. The impersonators request social security numbers and/or demand immediate payment of a fine by money order or direct deposit. The Department of State warned that it does not communicate by phone or electronic means with individual respondents without first sending a written confirmation of possible allegations and providing the proper verifiable contacts.

Similar scams have surfaced over the last several years in numerous jurisdictions in the U.S. and around the world, and have been broadly reported by regulatory authorities, news media outlets and among licensees themselves. Based on the latest news from Florida and New York, however, it would appear that the schemes aren't going away.

AMANDA – STATE ONLINE APPLICATION AND LICENSING SYSTEM

The Commission is excited to announce that this year you will see a monumental change in online services available to licensees and applicants. The Commission has been working with CSDC Systems and the Office of Management and Enterprise Services to transition to a new licensing system. The "AMANDA" system is an enterprise license management system that will streamline all services of the Commission.

How does this affect you as the licensee? The system will offer licensees and applicants with a "My Services" option. Nearly all transactions that currently require hard copy documents along with payment will be made available online. Other options will include the ability to submit an application and perform renewal and maintenance transactions (transfers, name changes, etc.), all online. Real estate school and instructors will be able to conduct business online with the Commission as well. All payments to the Commission will be accepted online via MasterCard, Visa, American Express credit or debit card. The online process will be optional as licensees or applicants will still be able to submit hard copy documents and payments if they so desire.

The system is currently being tested and will be online in the near future. Please monitor our website and check email notices from the Commission for further information as the system gets closer to going "live".

DISCIPLINARY ACTION *continued from page 2*

C-2011-014: Linda S. Hane (B) – Tulsa

Linda Hane in violation of:

Title 59 O.S. §858-312, Subsections 9 and 15, in that she entered pleas of Guilty to Unlawful Possession of Controlled Drug, Driving Under the Influence (Alcohol), Transporting a Loaded Firearm and Driving Under the Influence / Drugs and Alcohol – Second Offense (Felony);

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-2 (b), in that she failed to file a written response to complaint in this case;

Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4 (9), in that she failed to appear with requested documents at the interview scheduled with Commission investigators, and

Title 59 O.S. §858-312, Subsection 1, in that she made a materially false statement in her application for license renewal.

Respondent Linda Hane's Oklahoma real estate broker license was revoked by order of the Commission, effective 06-14-12.

JUNE 2012

UC-2011-005: Jennifer Barry (SA), Innovative Realty LLC and Dennis Michael Barry (SA) – Edmond

Dennis Michael Barry and Innovative Realty LLC in violation of:

Title 59 O.S. §858-312, Subsections 8 and 9 and Rules 605:10-17-4 (17) and 605:10-17-4 (9), in that they failed to turn over relevant electronic communications;

Title 59 O.S. §858-312, Subsections 8 and 9 and Rules 605:10-17-4 (19), in that they allowed Respondent Jennifer Barry to present and discuss the terms of a purchase contract and to negotiate commission terms while sales associate license was on inactive status, and

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-1(g), in that they allowed Respondent Jennifer Barry to handle a real estate transaction while her sales associate license was on inactive status.

Jennifer Barry in violation of

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(9), in that she failed to turn over relevant electronic communications which would have established that she performed licensable activities while her sales associate license was on inactive status, and

DISCIPLINARY ACTION *continued from page 4*

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-1-2, in that she performed licensable real estate activities which required an active real estate license at a time when her license was on an inactive status.

Respondent Dennis Michael Barry was ordered to pay an administrative fine in the amount of (\$1,500.00) and to attend and complete a total of six (6) hours of continuing education on management of a real estate office and supervision of sales associates.

Respondent Jennifer Barry was ordered to pay an administrative fine in the amount of \$750.00 and to attend and complete three (3) hours of continuing education in the subject of licensable real estate activities.

U-2010-010: Estate Keepers of Oklahoma LLC (Unlicensed) and Diane Ferguson (Unlicensed) – Tulsa

Estate Keepers of Oklahoma LLC and Diane Ferguson in violation of:

Title 59 O.S. §858-301, in that they engaged in soliciting, marketing and leasing real property while not possessing a real estate license.

The Respondents were ordered to pay an administrative fine in the amount of \$5,000.00. The file was forwarded to the Attorney General's Office for further action due to nonpayment of payment.

C-2011-042: Rent King LLC and Kelly Benjamin Webb (BM) – Norman

Rent King LLC and Kelly Benjamin Webb in violation of:

Title 59 O.S. §858-312, Subsections 3 and 8 and Rule 605:10-17-4 (12), in that they failed to enter into a property management agreement and to disclose their broker relationship with the complainant;

Title 59 O.S. §858-312, Subsections 6 and 9 and Rule 605:10-13-1 (l), in that they failed to timely remit the sum of \$200.00 owed to the complainant;

Title 59 O.S. §858-312, Subsections 6, 8 and 9 and Rule 605:10-17-4 (12), in that they failed to turn over the keys and files to the new property management company when requested to do so;

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4 (12), in that they failed to provide, upon request by the complainant, copies of invoices to substantiate expenses for repairs and/or services, and

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-15-1 (2), in that they failed to disclose to the complainant in

writing their beneficial interest in Native Winds Carpet Cleaning & Sales LLC.

The Respondents consented to payment of an administrative fine of \$100.00 for each violation, for a total of \$500.00.

C-2011-052: Green Meadow Realty Incorporated, Casey Lee Cook (BM) and Glen R. Cosper (SA) – Oklahoma City

Green Meadow Realty Incorporated and Casey L. Cook in violation of:

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4(9), in that they failed to provide a written response to the complaint filed.

Respondents Green Meadow Realty Incorporated and Casey Lee Cook consented to payment of an administrative fine totaling \$500.00; the case against Respondent Glen Cosper was closed.

C-2011-070: A2Z Real Estate LLC and Judy Kay Smith (BM) – Sand Springs

A2A Real Estate LLC and Judy Kay Smith in violation of:

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-5 (a) (c), in that they failed to register their new home and business addresses and office telephone numbers with the Commission, and

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-13-1 (n), in that they failed to notify the Commission of the cessation of their real estate activities.

The Respondents consented to payment of an administrative fine in an amount totaling \$200.00.

C-2011-078: Johnny Ray Spence (BM) – Edmond

Johnny Spence in violation of:

Title 59 O.S. §858-312, Subsections 1 and 9, in that he failed to disclose his misdemeanor convictions on his original application for a real estate license in 2003 and on his application for reinstatement in 2011.

Respondent Johnny Spence consented to payment of an administrative fine in the amount of \$500.00.

C-2011-083: Toby Harriell Scrivner (SA) – Sand Springs

Toby Scrivner in violation of:

Title 59 O.S. §858-312 Subsections 1 and 9, in that he failed to disclose on his license renewal application submitted August 15, 2008, that he had a criminal charge pending.

Respondent Toby Scrivner consented to payment of an administrative fine in the amount of \$500.00.

AUGUST 2012

C-2008-059: John R. Keith (BP), Otis Wayne Munkres (BA) and Carolyn Sue Smith (SA) – Enid

John R. Keith in violation of:

Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4 (6), in that he failed to properly supervise the activities of an associate;

Title 59 O.S. §858-312, Subsections 3 and 9, in that he failed to provide broker relationship disclosures, and

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-13-1 (I), in that he failed to maintain real estate transaction records for a period of five (5) years.

Otis Wayne Munkres in violation of:

Title 59 O.S. §858-312, Subsections 3 and 9, in that he failed to provide broker relationship disclosures;

Title 59 O.S. §858-312, Subsections 4 and 9, in that he accepted a commission for performance of real estate activities from someone other than his broker;

Title 59 O.S. §858-312, Subsections 9 and 16, in that he commingled his own money with the money of others;

Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4 (9), in that he failed to respond to complaint in writing, and

Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4 (12) (14), in that he acted in the capacity of a broker while not possessing the license of a broker or branch office broker.

Carolyn Sue Smith in violation of:

Title 59 O.S. §858-312, Subsections 4, 8 and 9 and Rule 605:10-17-4 (12), in that she accepted a commission for the performance of real estate activities from someone other than her broker, and

Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-2 (b), in that she failed to respond to a complaint in writing.

Respondent John Keith was ordered to pay an administrative fine of \$1,500.00, the Oklahoma real estate broker license of Respondent Otis Munkres was ordered suspended until August 28, 2015 and the Oklahoma real estate sales associate license of Respondent Carolyn Smith was ordered revoked.

C-2009-059: Steven L. Craig (BP) – Del City

Steven Craig in violation of:

Title 59 O.S. §858-312, Subsections 9 and 16, in that he commingled money belonging to complainants with operating monies of City Properties, the respondent's company;

DISCIPLINARY ACTION *continued from page 5*

Title 59 O.S. §858-312, Subsection 1, in that he submitted license renewal applications containing false information;

Title 59 O.S. §858-312, Subsections 8, 9 and 15, in that he has had repeated criminal convictions in the State of Oklahoma;

Title 59 O.S. §858-312, Subsections 6 and 9 and Rule 605:10-13-1 (a,1,E), in that he failed to maintain the owners' funds and tenant security deposits in a trust account and failed to return to the owners said funds upon termination of the property management agreement;

Title 59 O.S. §858-312, Subsections 6 and 9 and Rule 605:10-13-1 (1), in that he failed to maintain property management records for the properties which he managed on behalf of the complainants, and

Title 59 O.S. §858-312, Subsections 6 and 9 and Rule 605:10-13-1 (1), in that he failed to maintain property management records for the properties which he managed on behalf of the complainants, and

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4 (12), in that he converted the complainants' funds to his own use and benefit.

The Oklahoma real estate broker license of Respondent Steven Craig was ordered revoked.

C-2010-076: Bob L. Linn & Associates Incorporated, Robert Lee Linn (BM), Bob L. Linn & Associates Incorporated (BO), Frank D. Greer (BA), Carl Edward Feemster (SA) and Great American Realty Incorporated – Edmond, Oklahoma City, Piedmont and Yukon

Carl Edward Feemster in violation of:

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4 (9), in that he failed to submit a written response to the complaint;

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-9-4 (c) (1), in that he failed to disclose in writing on all documents pertaining to the transaction that he was an Oklahoma real estate licensee, and

Title 59 O.S. §858-312, Subsections 2, 8, 9 and 23 and Rules 605:10-17-4 (7), 605:10-17-4 (13) and 605:10-17-5 (2), in that he failed to disclose material defects regarding the property which he was selling.

The Oklahoma real estate sales associate license of Respondent Carl Feemster was ordered revoked; the case against Respondents Great American Realty and Frank Greer was dismissed and the case against the remaining Respondents was closed.

C-2011-084: Ricky Ray Hawes (B) – Springdale, Arkansas

Ricky Hawes in violation of:

Title 59 O.S. §858-312, Subsections 9 and 19, in that he entered a plea of Guilty to two (2) Felony counts of Theft of Property in Benton County, Arkansas.

The Oklahoma real estate broker license of Respondent Ricky Hawes was ordered revoked.

C-2010-078: Wayne D. Chambers (SA) – Holdenville

Wayne Chambers in violation of:

Title 59 O.S. §858-312, Subsections 9 and 15, in that he was convicted in the United States District Court for the Western District of Oklahoma of the felony offense of False Declarations Before a Grand Jury.

The Oklahoma real estate sales associate license of Respondent Wayne Chambers was ordered revoked.

C-2011-025: Michael Gipson (SA) – Oklahoma City

Michael Gipson in violation of:

Title 59 O.S. §858-312, Subsections 9 and 19, in that he was convicted in the United States District Court for the Western District of Oklahoma of Wire Fraud – Attempt and Conspiracy and Laundering of Monetary Instruments – Aiding and Abetting.

The Oklahoma real estate sales associate license of Respondent Michael Gipson was ordered revoked.

C-2011-065: Wanda L. Gantt Incorporated, Wanda L. Gantt (BM) and Michael A. White (SA) – Tulsa

Wanda L. Gantt Incorporated and Wanda L. Gantt in violation of:

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4 (9), in that they failed to file an adequate written response to the complaint notice.

Michael White in violation of:

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4 (9), in that they failed to file an adequate written response to the complaint notice.

The Respondents consented to the payment of an administrative fine in the amount of \$500.00 each.

C-2012-015: Michael Ray Thompson (BM) – Oklahoma City

Michael Thompson in violation of:

Title 59 O.S. §858-312, Subsection 15, in that he pled No Contest to Driving a Motor Vehicle While Under the Influence of

Alcohol in Oklahoma City Municipal Court (September 2011).

Respondent Michael Thompson consented to the payment of an administrative fine in the amount of \$500.00.

OCTOBER 2012

C-2011-030: Pawnee Land Corporation, Franklin Douglas Sparks (BM) and Angelia Rae Bellamy (BM) – Terlton

Pawnee Land Corporation and Franklin Sparks in violation of:

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-13-1 (a,1,C), in that they failed to register the trust account with the Commission.

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4 (6), in that they failed to properly supervise the activities of an associate.

Title 59 O.S. §858-312, Subsection 9 and 16 and Rule 605:10-13-1 (b), in that they commingled a licensee's money with the money of others.

Respondents Pawnee Land Corporation, Franklin Sparks and Angelia Bellamy were found to be in violation of:

Title 59 O.S. §858-312, Subsections 3 and 9, in that they failed to disclose a broker relationship with the complainant or the seller prior to providing brokerage services.

Respondent Franklin Sparks was ordered to pay an administrative fine of \$1,000.00 and Respondent Angelia Bellamy was ordered to pay an administrative fine of \$250.00.

C-2011-056: JKN Real Estate LLC and Judy K. Nicholas (BM) – Stillwater

JKN Real Estate LLC and Judy Nicholas in violation of:

Title 59 O.S. §858-312, Subsections 3 and Title 59 O.S. §858-351, in that they failed to enter into a written brokerage agreement with the complainant prior to providing services as a single-party broker.

Respondents JKN Real Estate LLC and Judy Nicholas were ordered to pay an administrative fine totaling \$500.00.

U-2010-009: Lavonne Portman (Unlicensed) – Oklahoma City

Lavonne Portman in violation of:

Title 59 O.S. §858-102 and Title 59 O.S. §858-301, in that she engaged in real estate activities without possessing an Oklahoma real estate license.

Respondent Portman was ordered to pay an administrative fine of \$500.00.

DISCIPLINARY ACTION *continued from page 6***U-2011-002: Proffitt Enterprises (Unlicensed) and Bud Proffitt (Unlicensed) – Tulsa**

Bud Proffitt and Proffitt Enterprises in violation of:

Title 59 O.S. §858-102 and Title 59 O.S. §858-301, in that they engaged in licensable real estate activities by while not possessing an Oklahoma real estate license.

The respondents were ordered to pay an administrative fine of \$5,000.00 each. The file was forwarded to the Attorney General's Office for further action due to nonpayment of fine.

C-2011-026: Kathy Ann Cochran (SA) – Oklahoma City

Kathy Cochran in violation of:

Title 59 O.S. §858-312, Subsections 8 and 9, in that she participated in a conspiracy to induce lenders to fund mortgages based on inflated real estate prices and to misrepresent the distribution of excessive loan proceeds.

The Oklahoma sales associate license of Respondent Cochran was ordered revoked.

UC-2012-001: ARE Incorporated, Charles Barger (BM), Denise Piercy (Unlicensed) and Krystal Greenlee (Unlicensed) – Lawton

This action involved only Respondents ARE Incorporated and Charles Barger; a separate action will be scheduled for Respondents Denise Piercy and Krystal Greenlee.

ARE Incorporated and Charles Barger in violation of:

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4 (21), in that they may have failed to ensure Respondents Denise Piercy and Krystal Greenlee held an active real estate sales license;

Title 59 O.S. §858-312, Subsection 6 and Rule 605:10-13-1 (a,1,E), in that they may have failed to maintain the security deposit funds for properties they managed;

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-13-1 (a,1,F), in that they may have failed to maintain a proper accounting of security deposit and owner maintenance funds, and

Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4 (16), in that they may have allowed prospective tenants access to available rental properties without a licensed associate accompanying them to the property for viewing, prior to obtaining the owner's authorization.

Respondent Barger consented to a 3-month suspension of his license retroactive to July 29, 2012; a reduction in license status from BA to SA for two (2) years, beginning October 18, 2012, with reapplication permissible in two (2) years; and an administrative fine of \$2500.00 dollars each

assessed against Respondent Charles Barger and Respondent ARE Incorporated.

C-2011-009: Shirley Donaldson Incorporated, Shirley Donaldson (BM) and Judy Ann Buckmaster (BA) – McAlester

Judy Buckmaster in violation of:

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4, in that she failed to provide a cost sheet in writing to the sellers upon receiving a written offer to purchase from the complainants.

Respondent Judy Buckmaster consented to the payment of an administrative fine of \$500.00. The case against the remaining respondents was dismissed.

C-2012-057: Nanette Kay Wemhaner (BA) – Alma, Arkansas

Nanette Wemhaner in violation of:

Title 59 O.S. §858-312, Subsection 15, in that she pleaded Guilty to the charge of Driving While Intoxicated (DWI) in Crawford County, Arkansas

Respondent Nanette Wemhaner consented to the payment of an administrative fine of \$250.00.

U-2011-001: Ellen Coleman Terry (Unlicensed) and Brian William Smith (Unlicensed) – Dallas, Texas

Brian Smith in violation of:

Title 59 O.S. §858-102, §858-301 and §858-401, in that he engaged in licensable real estate activities in the State of Oklahoma without having a valid license issued by the Commission.

Respondent Brian Smith consented to the payment of an administrative fine of \$500.00. The case against Respondent Ellen Terry was closed.

DECEMBER 2012**C-2012-029: Kasey Corine Rohde (SA) – Norman**

Kasey Rohde in violation of:

Title 59 O.S. §858-312, Subsections 9 and 15, in that she entered a plea of No Contest to the misdemeanor charge of Obtaining Labor or Personal Services by Bogus Check.

Respondent Kasey Rohde was ordered to pay an administrative fine of \$200.00 and her Oklahoma real estate sales associate license was placed on probation until completion of her court-ordered deferred sentence and payment of all costs and restitutions.

C-2012-037: Richard Lee Fitch (SA) – Norman

Richard Fitch in violation of:

Title 59 O.S. §858-312, Subsections 9 and 15, in that he entered a plea of Guilty to the misdemeanor charge of Driving Under the Influence – Alcohol.

Respondent Richard Fitch was ordered to pay an administrative fine of \$200.00 and his Oklahoma real estate sales associate license was placed on probation until completion of his court-ordered deferred sentence.

C-2011-016: J.R. Properties Incorporated and Jeff Robison (BM) – Norman

J.R. Properties, Inc., and Jeff Robison in violation of:

Title 59 O.S. §858-312, Subsection 6 and Rule 605:10-13-1 (I), in that they failed to provide an accounting of funds to the complainant;

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-13-1, in that they failed to register with the Commission two (2) Republic Bank accounts and failed to advise the Commission of three (3) Bank of Oklahoma accounts and one (1) First Fidelity account which had been closed;

Title 59 O.S. §858-312, Subsections 8, 9 and Rule 605:10-13-1 (a,1,E), in that they failed to maintain sufficient funds in their trust account to cover all checks written and failed to maintain a positive month-end balance in said trust account;

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-1 (a), in that they failed to maintain a place of business which is available to the public where transaction records are maintained;

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-5 (a), in that they failed to file with the Commission a change of business address or office telephone number within ten (10) days of the change;

Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4 (9), in that they failed to produce and provide documents to the Commission in accordance with the Subpoena issued;

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-2 (b), in that they failed to submit a written response within fifteen (15) days of notice of the complaint; and

Title 59 O.S. §858-312, Subsections 8, 9 and 16, in that they commingled their own money with the money of others.

The Oklahoma real estate license of J.R. Properties and Jeff Robison were ordered revoked.

C-2011-080: Apple Realty LLC, Susie Jane Thompson (BM) and D&S Management LLC – Oklahoma City

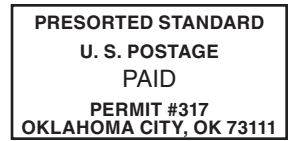
Susie Jane Thompson in violation of:

Title 59 O.S. §858-312, Subsections 6 and 9 and Rule 605:10-13-1 (a, 1, D), in that she failed to deposit the escrow funds before the end of the third banking day following acceptance of an offer by an offeree;

continued on page 8

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DISCIPLINARY ACTION *continued from page 7*

Title 59 O.S. §858-312, Subsections 6 and 9 and Rule 605:10-13-1 (j), in that she failed to advise all parties to the transaction that the earnest money deposit of \$5,000.00 for which she receipted on July 20, 2011, was not delivered to Old Republic Title Company as required by the contract;

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-9-4 (c, 1), in that she failed to disclose in writing on all documents pertaining to the transaction that she is an owner of D&S Management LLC (the purchaser).

No evidence was received to indicate any violation of the Oklahoma Real Estate License Law by Respondents Apple Realty LLC and D&S Management LLC.

Respondent Susie Thompson was ordered to pay an administrative fine in the amount of \$900.00 and the case against the remaining Respondents was dismissed.

C-2012-008: Eric Loken Rognas (SA) – Edmond

Eric Rognas in violation of:

Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4 (9), in that he failed to timely

submit a written response to the complaint in this matter and to timely provide the documentation requested by the Commission.

Respondent Eric Rognas was ordered to pay an administrative fine in the amount of \$500.00.

C-2012-024: Stephanie Ann Gartman (SA) – Edmond

Stephanie Gartman in violation of:

Title 59 O.S. §858-312, Subsections 9 and 15, in that she entered a plea of Guilty to the misdemeanor offense of Obtaining Money Under False Pretenses.

The Oklahoma real estate sales associate license of Respondent Stephanie Gartman was ordered revoked.

U-2011-008: 24/7 Property Management LLC (Unlicensed) and Vickie Sebree (Unlicensed) – Oklahoma City

24/7 Property Management LLC and Vickie Sebree in violation of:

Title 59 O.S. §858-102 and §858-301, in that they engaged in real estate activities while not possessing an Oklahoma real estate license.

Respondents 24/7 Property Management LLC and Vickie Sebree were ordered to pay an administrative fine of \$500.00. The case was forwarded to the Attorney General's Office for further action due to nonpayment of fine.

C-2012-019: ABW Incorporated, Marjorie T. Kelley (BM) and Blake Evan Simon (SA) – Oklahoma City

ABW Incorporated and Marjorie Kelley in violation of:

Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4 (9), in that they failed to submit an adequate written response to the Commission.

No evidence was received to indicate any violation of the Oklahoma Real Estate Licensed Code or the Rules of the Oklahoma Real Estate Commission by Respondent Blake Simon.

Respondents ABW Incorporated and Marjorie Kelley consented to payment of an administrative fine totaling \$500.00. The case against Respondent Blake Simon was dismissed.