

**MINUTES OF REGULAR MEETING
OKLAHOMA ABSTRACTORS BOARD
March 17, 2015**

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairman Ralph Harrison at 10:00 a.m. on March 17, 2015, at the OLERS Conference Room, 421 NW 13th St., Oklahoma City, OK.
2. Mr. Haynes called roll. Attending were Ken McDowell, J Thomas, Mark Luttrull, Chaney Haynes, Corky Heard, Robert Getchell, John Bailey and Ralph Harrison. Charles Nichols, had an excused absence. It was determined that eight members were present at the time of roll call and that a quorum was present. Also attending were Glynda Reppond, Executive Director, and John Crittenden, Assistant Attorney General. The Chairman announced that notice of the meeting and posting of the agenda had been done in accordance with the Open Meeting Act.
3. The Minutes of the Regular Meeting of the OAB conducted February 17, 2015, and the Special Meeting on Rulemaking on the same date were then reviewed. After review, a motion was made by Mark Luttrull and seconded by Corky Heard to accept both sets of Minutes as presented. Vote: Unanimously approved.
4. **Chairman's Report: Ralph Harrison.** Mr. Harrison stated that he had no report.
5. **Executive Director's Report:** Director Reppond stated that one resume for the inspector's position had been received but the applicant cancelled the scheduled interview because she had accepted a job in Texas. She also reported that signage for the office would be installed sometime in the coming month. There will be a sign beside the front door as well as one over the reception window. CompSource has been our insurance provider for worker's comp for the past seven years but in May, 2016, it will be dropped and worker's comp bundled with the other insurance we carry through the State. They will be our provider until that date. She also announced that the website for reporting to the Ethics Committee has still not been completed and the yearly report is due by May 15th. They expect the website to be ready to use by mid-April but she will keep the Board advised. She advised that the update required by the Board at the last meeting for the issuance of the Permit for Old Republic in Logan County has been received. She also reported that the agency had been called in front of the Select Committee on Appropriations on March 4th. John Bailey attended the meeting with her. It went very well. They inquired as to how much money in our account and what our roll-over was each year among other similar items.
6. **Committee Reports:**
 - a. **Budget and Finance – J Thomas.** Mr. Thomas gave an update on the budget and presented the OSF Form "FY2015 Operating Budget Comparison by Department and Account", the Six Digit Object of Expenditure Report, the Six Digit Expenditure Detail Report, as well as the OAB P&L Statement for FY2015 which covers each month from the beginning of the fiscal year for comparison purposes. The total budget for the year is \$307,638.00. The total expenditures for the month were \$15,034.99 and the amount spent for the year to date is \$168,899.19. After review and discussion, a motion was made by Robert Getchell and seconded by Ken McDowell to approve the budget report as presented. Vote: Unanimously approved.
 - b. **Rules and Regulations – Mark Luttrull.** Mr. Luttrull reported that the Open Meeting was held at 1:00 p.m. in the conference room of the OAB after the regular Board meeting in February. No one attended to speak to the rules and after a reasonable amount of time, the meeting was adjourned.

c. Licensing and Testing – Corky Heard. Mr. Heard reported that the next test will be on March 19, 2015. Seven people are signed up at this time.

d. Inspections – None.

e. Enforcement Committee – Chaney Haynes.

Inspection Reports: None.

Applications for Licenses: Presented to the Board for approval was a list of applicants for abstract licenses which are set out in the attachments hereto. After discussion, a motion was made by Chaney Haynes and seconded by John Bailey for approval of all licenses subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

Certificates of Authority and Rate Sheets: Presented to the Board for approval was a list of applications for renewal of Certificate of Authority, with or without a fee change, which are set out in the attachments hereto. After discussion, a motion was made by Chaney Haynes and seconded by Bob Getchell for approval subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved. Unanimously approved except that Mark Luttrull abstained from voting on all documents presented by Pioneer Abstract & Title of Muskogee.

Rate Sheets with Changes: Presented to the Board for approval was one request for a rate change only, which is set out in the attachments hereto. After discussion, a motion was made by Chaney Haynes and seconded by Bob Getchell for approval subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

Notice of Transfer of Ownership (For Information Only): The Board was notified that Jackson County Abstract and Daniel Abstract had both been purchased by John Bailey through a 100% stock purchase, which does not require approval by the Board.

7. **Adoption of FY2015 Rules: Mark Luttrull** – Mr. Luttrull reported that the Rules Committee convened a meeting at 1:00 p.m. on Tuesday, March 17th, to hear public comments concerning the proposed rules changes for FY2015. No one attended other than the Committee members, John Crittenden and the Executive Director. There were no objections or comments. After waiting approximately 20 minutes for anyone to attend, the meeting was adjourned. Mrs. Reppond reported that after adoption of the Rules by the Board, she had ten days to complete the required documents and submit the electronically to the Governor, Cabinet Secretary and the Legislature. A motion to adopt the proposed rules was made by Mark Luttrull and seconded by Bob Getchell. Vote: Unanimously approved.
8. **Revisions to Time Based and Page Based Abstract Fee Schedules:** The Rules Committee has revised the forms for both the time and page rate sheets. They have taken “II. Special Abstract Rates” and moved it to the bottom of the last page with the caveat that the rates listed below are not regulated by the OAB but for informational purposes only. Even though the Board does not regulate those charges, the Committee felt it would be a service to the Certificate holders to be able to show those rates. A motion was made by Mark Luttrull and seconded by John Bailey to revise OAB forms Nos. 15 and 16 accordingly and have the forms be effective July 1, 2015. Vote: Unanimously approved.
9. **Request for Declaratory Ruling by Gungoll Jackson, Attorneys:** This matter came on to be heard by the Board after receiving this request from attorney J.D. White of Gungoll Jackson for a Declaratory Ruling on behalf of Humphrey Abstract Company concerning the settlement statement prepared by Enid Title Company,

showing an erroneous charge for abstracting. Mr. Crittenden opined that the pleading did not meet the requirements for a Declaratory Relief under OAB Title 5:2-3-6(a). He contacted attorney White and explained the matter and suggested that if he wanted to file a complaint, that he should do so. Ken McDowell then made a motion to deny the Request for a Declaratory Ruling, which was seconded by Bob Getchell. Vote: Unanimously approved.

10. **New Business:** None.

11. **Report of Legal Counsel:** Mr. Crittenden reported that he had done further research on “upcharging” and RESPA requires that closing companies put down actual closing charges on the HUD-1 form for services that have been rendered and that the term “actual” really means “actual”. He reported that under RESPA, there is both civil and criminal damages including federal prosecution, \$2,000.00 in fines, and imprisonment up to a year for each violation that was proven. Civilly, there is triple damages that could occur. The Attorney General has authority to enforce RESPA and the State Insurance Commissioner may have authority under federal law. In addition, if RESPA does not apply, the Oklahoma Consumer Protection Act would come into play through the deceptive trade practice. Also, local District Attorneys might prosecute under Title 21, Section 1542, obtaining money through false pretenses. That’s theft. Mr. Haynes asked how and who to report incidences to if the Board receives complaints, investigates and find that upcharging has occurred. Mr. Crittenden suggested that he would start with the Attorney General’s office, Consumer Protection Division, and that it is possible that a multi-county grand jury would open a file.

12. **Visitor’s Comments:** Mitzi Combs also commented that the Board is also always looking to make sure abstracting fees listed on a HUD-1 are not combined with other fees on their rate sheets. Mr. McDowell said, as an example, that in an instance where an abstract company was charging a “handling fee” or similar charge, as long as they set it out separately they should be o.k.

13. **Next Meeting:** The next meeting will be held Tuesday, April 21st, at 10:00 a.m.in the OLERS conference room, 421 NW 13th St., Oklahoma City, OK.

The meeting was adjourned by Chairman Harrison.

Respectfully submitted,



Glynda Reppond
Executive Director

Individual License Renewals

MARCH 2015

No.	Date Rec	First	Last	Exp Date	Con d App	Company	County
1409	2/27/2015	Lisa	Collins	6/28		Abstract & Guaranty, Inc	Blaine
1409	2/27/2015	Geoffrey	Riley	11/28		Abstract & Guaranty, Inc	Blaine
1409	2/27/2015	Barbara	Underwood	6/28		Abstract & Guaranty, Inc	Blaine
1397	2/25/2015	Robin	Berg	4/28		Alfalfa Guaranty Abstract Company	Alfalfa, Kiowa
1398	2/25/2015	Melody	Carpenter	6/28		Atlas Abstract	Hughes, Seminole
1398	2/25/2015	William	Hardgrove	6/28		Atlas Abstract	Hughes, Seminole
1398	2/25/2015	Martha	Lucas	4/28		Atlas Abstract	Hughes, Seminole
1398	2/25/2015	Lana	Pitts	7/28		Atlas Abstract	Hughes, Seminole
1382	2/4/2015	Aleathea	Prough	4/28		Atoka Abstract Company, Inc.	Atoka
1382	2/4/2015	Faye	White	4/28		Atoka Abstract Company, Inc.	Atoka
1418	3/3/2015	Pamela	DeHaven	3/28		Capitol Abstract & Title Company	Oklahoma
1418	3/3/2015	Paula	Hillemeier	3/28		Capitol Abstract & Title Company	Oklahoma
1418	3/3/2015	Christina	Hymes	3/28		Capitol Abstract & Title Company	Oklahoma
1422	3/3/2015	Andrea	McAlister	3/28		Capitol Abstract & Title Company	Oklahoma
1418	3/3/2015	Laura	Parker	3/28		Capitol Abstract & Title Company	Oklahoma
1402	2/26/2015	Brandy	Eller	4/28		Choctaw County Abstract Co	Choctaw
1012	4/30/2014	Johnna	Lancaster	3/28		Choctaw County Abstract Co	Choctaw
1393	2/19/2015	Bertha	Teague	3/28		Delaware County Abstract Co	Delaware
1416	3/2/2015	Brandy	Orman	4/28		Eufaula Abstract & Guaranty Abstrac	Mcintosh and Haskell
1415	2/27/2015	Teresa	Armontrout	6/28		Grand Valley Abstract	Mayes, Wagoner
1415	2/27/2015	Rachel	Gilbo	1/28		Grand Valley Abstract	Mayes, Wagoner
1415	2/27/2015	Randi	Hix	1/28		Grand Valley Abstract	Mayes, Wagoner
1420	3/3/2015	Linda	Ellis	3/28	1	Guaranty Abstract Company	McClain
1419	3/3/2015	Lorry	Arbuckle	3/28	1	Guaranty Abstract Company	McClain
1386	2/10/2015	Velma	Beal	3/28		Marshall County Abstract Co., LLC	Marshall
1386	2/10/2015	J. Herschel	Beard	5/28		Marshall County Abstract Co., LLC	Marshall
1386	2/10/2015	John	Beard	12/28		Marshall County Abstract Co., LLC	Marshall
1386	2/10/2015	Sue	Beard	5/28		Marshall County Abstract Co., LLC	Marshall
1386	2/10/2015	Doris	Griffin	11/28		Marshall County Abstract Co., LLC	Marshall

No.	Date Rec	First	Last	Exp Date	Con d App	Company	County
1413	2/27/2015	James	Burnette	10/28		Metro Abstract Title & Closing	Tulsa, Mayes, Wagoner
1413	2/27/2015	Kimberly	Johnson	2/28		Metro Abstract Title & Closing	Tulsa, Mayes, Wagoner
1413	2/27/2015	Heather	Jones	10/28		Metro Abstract Title & Closing	Tulsa, Mayes, Wagoner
1413	2/27/2015	Lesley	Lacy	10/28		Metro Abstract Title & Closing	Tulsa, Mayes, Wagoner
1413	2/27/2015	Bethany	Phelps	7/28		Metro Abstract Title & Closing	Tulsa, Mayes, Wagoner
1390	2/12/2015	Alisa	Argo	8/28		Meurer Abstract & Title	Pawnee
1390	2/12/2015	Deana	McCall	7/28		Meurer Abstract & Title	Pawnee
1394	2/24/2015	Cynthia	Kennedy	3/28		Muskogee Abstract and Title Compa	Muskogee
1389	2/12/2015	Jackie	Bullard	5/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Shirley	Cody	8/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Judy	German	12/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Amanda	Moody	5/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Andy	Rylant	4/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Dustin	Taylor	4/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Maria	Taylor	4/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Joyce	Tell	1/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Angela	Whitehead	1/28		Oklahoma Abstract & Title Company	Payne
1389	2/12/2015	Danita	Witt	5/28		Oklahoma Abstract & Title Company	Payne
1387	2/10/2015	Bryan	Thomason	5/28		Oklahoma Abstract of Lawton/Marsh	Comanche, Marshall
1376	2/4/2015	Crystal	Derwin	6/28		Ottawa County Abstract & Title	Ottawa
1376	2/4/2015	James	Graham	5/28		Ottawa County Abstract & Title	Ottawa
1398	2/25/2015	Lisa	Christopher	5/28		Pioneer Abstract Company	Hughes, Seminole
1398	2/25/2015	Betty	Hardgrove	4/28		Pioneer Abstract Company	Hughes, Seminole
1398	2/25/2015	Sandra	Nalley	3/28		Pioneer Abstract Company	Hughes, Seminole
1398	2/25/2015	Lacey	Powell	4/28		Pioneer Abstract Company	Hughes, Seminole
1411	2/27/2015	Catherine	Berry	4/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Karen	Burnette	4/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Jennifer	Campbell	5/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	James	Cichon	9/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Andrew	Dossey	10/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Carolyn	Franks	7/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Nancy	Griffith	11/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Joe	Haney	1/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	David	Heinz	5/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Laura	Holzer	1/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Mindy	Jessie	1/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner

No.	Date Rec	First	Last	Exp Date	Con d App	Company	County
1411	2/27/2015	Rex	Koller	5/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Staci	Mickle	8/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Angela	Scott	9/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Christal	Shields	7/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Connie	Smoot	5/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Laura	Snider	1/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Catherine	Suder	1/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Kristopher	Suder	6/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	David	Thraikill	11/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	Debra	Tomlinson	5/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1411	2/27/2015	William	Turner	9/28		Smith Brothers Abstract and Title	Tulsa, Mayes, Wagoner
1399	2/25/2015	Nancy	Elias	3/28		Tulsa Abstract & Title	Tulsa
1399	2/25/2015	Robert	Taylor	4/28		Tulsa Abstract & Title	Tulsa
1399	2/25/2015	Teresa	Taylor	4/28		Tulsa Abstract & Title	Tulsa

1. Missed deadline - license extended - pd. \$100 fine
2. OTC Hold
3. Waiting for payment of fine

** all subject to administrative review and payment of fees*

APPLICATIONS: RENEWAL OF CERTIFICATE OF AUTHORITY

MARCH 2015

No.	Date Rec	Company	EXP Date	County	Cond App	Fee Chan ge	Page or Time Based	Rate Sheet Effective Date
1354	1/26/15	American Abstract and Title Company	4/28	Creek		N	Time	3/18/2015
1382	2/4/15	Atoka Abstract Company	5/28	Atoka		N	Page	3/18/2015
1347	1/22/15	Beckham County Abstract Co., Inc.	4/28	Beckham		Y	Time	3/28/2015
1351	1/23/15	Capitol Abstract & Title Company	4/28	Oklahoma		N	Time	3/18/2015
1344	1/21/15	Cherokee Capitol Abstract & Title Co.	4/28	Cherokee		N	Time	4/1/2015
1340	1/21/15	Claremore Abstract & Guaranty	4/28	Rogers		Y	Time	3/18/2015
1349	1/22/15	Cleveland County Abstract Company	4/28	Cleveland		N	Time	3/18/2015
1353	1/26/15	Creek County Abstract	4/28	Creek		N	Time	3/18/2015
1393	2/19/15	Delaware County Abstract	3/28	Delaware	3, 4	N	Page	3/18/2015
1346	1/22/15	Ellis County Abstract	4/28	Ellis		Y	Time	3/18/2015
1330	1/20/15	Eufala Abstract & Title	4/28	McIntosh		Y	Time	4/28/2015
1385	2/6/15	Green Country Abstract and Title, Co	5/28	Cherokee		N	Time	6/1/2015
1362	1/27/15	Guaranty Abstract of McClain County	4/28	McClain		N	Time	1/29/2015
1350	1/23/15	Hugo Abstract & Title, LLC	4/28	Choctaw		Y	Time	4/28/2015
1379	5/28/15	Liberty Abstract Co	5/28	Pittsburg		N	Time	5/28/2015
1379	1/22/15	M.G. Cox Abstract Co.	4/28	Garvin		N	Page	2/28/2015
1386	2/10/15	Marshall County Abstract Co., LLC	5/28	Marshall		Y	Time	5/1/2015
1369	1/28/15	Oklahoma Abstract of Lawton d/b/a/ Sovereign Abstract & Title	4/28	Comanche		Y	Time	3/18/2015
1348	1/22/15	Osage County Abstract	4/28	Osage		Y	Time	4/1/2015
1376	2/4/15	Ottawa County Abstract & Title	5/28	Ottawa		N	Time	5/1/2015
1364	1/28/15	Pioneer Abstract & Title	5/28	Harper		Y	Time	5/28/2015
1370	1/29/15	Pioneer Abstract & Title of Muskogee	5/28	Muskogee		Y	Time	4/1/2015
1366	1/28/15	Company	4/28	Hughes		Y	Time	4/1/2015
1367	1/28/15	Pioneer Abstract Company	4/28	Seminole		Y	Time	4/1/2015
1378	5/28/15	Pioneer Abstract Company of McAlester	5/28	Pittsburg		N	Time	5/28/2015
1383	2/5/15	Rogers County Abstract Company	5/28	Rogers		N	Time	3/18/2015
1347	1/22/15	Sayre Abstract Company	4/28	Beckham		Y	Time	3/8/2015
1363	1/27/15	SCA Title, LLC	4/28	Sequoyah		Y	Time	4/1/2015
1368	1/28/15	Seminole County Abstract Co	4/28	Seminole		Y	Time	4/1/2015
1333, 1334	1/7/15	Sooner Abstract & Title	4/28	Leflore		N	Time	3/18/2015
1372	1/29/15	Southwest Abstract & Title Company	4/28	Comanche		N	Time	3/18/2015
1342	1/21/15	Tahlequah Abstract & Title Co., LLC	4/28	Cherokee		N	Time	4/1/2015
1360	1/27/15	The Valley Abstract Co	4/28	Garvin		Y	Page	4/1/2015
1377	1/14/15	Tishomingo Abstract Company	4/28	Johnston		Y	Time	3/20/2015
1377	2/4/15	Valley Land Title Company, Inc.	5/28	Sequoyah		Y	Time	4/1/2015
1335	1/20/15	Woods County Abstract	4/28	Woods		N	Time	3/1/2015

FEE SCHEDULE CHANGE ONLY REQUESTS						FEBRUARY 2015		
No.	Date Rec	Name	Exp. Date	County	Cond App		Page or Time Based	Rate Sheet Effective Date
N/A	2/26/15	Washita Valley Abstract Co.		Grady			Time	3/18/2015

TRANSFER OF OWNERSHIP					FEBRUARY 2015			
No.	Date Rec	Name (Prior to Ownership Change)	Name Change	Owner(s)		Cont act	Page or Time Based	Rate Sheet Effective Date
N/A	3/4	Jackson County Abstract	No	John Bailey			Page	12/15/2014
N/A	3/4	Daniel Abstract Co.	No	John Bailey			Page	12/15/2014
		STOCK PURCHASES - NO VOTE NEEDED						

FEE SCHEDULE CODES:

N: Annual Filing- No Fee Change

Y: Annual Filing - Amended Fee Schedule

S: Special Filing - Amended Fee Schedule

CONDITIONAL APPROVAL CODES:

- | | |
|--|-----------------------------|
| 1. Correct Payment of fees | 5. OSBI Background Check |
| 2. Misc. application and/or other required documentation | 6. Discussion of Fee Sheet |
| 3. Missed deadline - certificate extended - pd. \$100 fine | 7. Tabled from Last Meeting |
| 4. Missed deadline - certificate extended - pd. \$300 fine | |