



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

December 4, 2013
Date

256
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting on December 4, 2013 at 9:30 a.m. The Meeting was held in the Public Meeting Room of the offices of the Oklahoma Insurance Department at 5 Corporate Plaza, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. §301 et seq., the agenda for this meeting was posted at the main entrance of the Oklahoma Insurance Department at 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma on Monday, December 2, 2013 at 9:00 a.m., and was mailed or hand delivered to the offices of the Board members on November 26, 2013 and posted to the REAB website on December 2, 2013. The agenda is attached as Exhibit A.

- I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar, Jr. called the meeting to order at 9:30 a.m. The roll of Board members was called to establish a quorum.

Board members present were: John D. Doak, Chairperson
Lee R. Caesar, Jr.;
James R. Artman;
Betty J. Cagle;
P. Lane Wheeler;
Stephen C. Walton; and
John P. Smithson

Board members excused were: Shelley Pruitt

Based on the result of the roll call, a quorum was declared present by the Chair.

Others in attendance were: Christine McEntire, Director; Bryan Neal, Assistant Attorney General, Barron Brown, Counsel for Commissioner John D. Doak, Eric Schoen, Board Secretary, and Rebecca Keesee, Legal Secretary. Others present were: Steve McCaleb, Joe Garnand, Richie Howells, Glinda Cordell and Mike Cordell.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Wheeler moved that the reading of the minutes of the November 6, 2013 session be waived and approved as published and distributed. The Motion was seconded by Mr. Smithson. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

- III. **CHAIRPERSON'S REPORT.** The Chairperson offered no report.

VICE-CHAIRPERSON'S REPORT. The Vice-Chairperson offered no report.
DIRECTOR'S REPORT.

A. Discussion and possible action regarding suspension of individuals for non-payment of annual fees due on September 30, 2013. (Exhibit C)

Mr. Walton made a Motion and it was seconded by Mr. Wheeler to approve the suspension of individuals for non-payment of annual fees listed in Agenda Item III, Director's Report A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

B. Discussion and possible action regarding approval of renewal applications due by January 31, 2014 and authority to issue certificates. (Exhibit D)

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item III, Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

C. Discussion and possible action regarding approval of original certificates of registration for Appraisal Management Companies. (Exhibit E)

A. Mr. Wheeler made a Motion and it was seconded by Mr. Walton to approve Board staff to issue original certificates to the AMCs listed in Agenda Item III, Director's Report C(A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

B. Mr. Wheeler made a Motion and it was seconded by Mr. Walton to deny the application of the AMC listed in Agenda Item III, Director's Report C(B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes

Mr. Caesar Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

D. Discussion and possible action regarding approval of AMC renewal applications due by January 31, 2014 and authority to issue certificates. (Exhibit F)

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to issue renewal certificates to the companies listed in Agenda Item III, Director's Report D. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

IV. COMMITTEE REPORTS:

A. Standards and Disciplinary Procedures Committee. No report.

B. Education, Experience and Testing Committee:

1. Discussion and possible action regarding approval of course submittals. (Exhibit G)

Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to approve the recommendation as presented in Agenda Item VI. B. 1. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

2. Discussion and possible action regarding approval or disapproval of various applications received and authority to issue certificates. (Exhibit H)

2(A) Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to allow staff to be given authority to issue trainee appraiser credentials to the individuals listed in Agenda Item VI. B. 2 (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

2(B) Mr. Wheeler made a Motion and it was seconded by Mr. Walton to allow staff to be given authority to issue reciprocal licenses to the individuals listed in Agenda Item IV. B. 2 (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

2(C) Mr. Walton made a Motion and it was seconded by Mr. Wheeler to allow staff to be given authority to reinstate the license of the individual listed in Agenda Item IV. B. 2 (C). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

3. Discussion and possible action regarding approval or disapproval of experience documentation of applicants. (Exhibit I)

3(A) Mr. Wheeler made a Motion and it was seconded by Mr. Walton to allow the staff to be given authority to approve the application for upgrade and be given authority to issue an upgrade certificates to the individuals listed in Agenda Item IV. B. 3 (A), contingent upon receipt of proof of acceptable examination results and payment of the required fee. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

3(B) Mr. Walton made a Motion and it was seconded by Mr. Wheeler to deny the application of the individual listed in Agenda Item IV. B. 3(B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

C. **Legislation and Rules Committee.** No Report.

D. **Probable Cause Committee.**

1. **Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee.** No Action.

2. **Discussion and possible action regarding standing operating procedures for the Probable Cause Committee.** No action.

3. **Discussion and possible action regarding Probable Cause Committee disciplinary recommendations.** (Exhibit J)

Grievance #A13-005 Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to recommend that a Letter of Warning be issued to the AMC, the file closed and no further action be taken in Agenda Item IV. D. 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance #13-018 Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to recommend that the matter be forwarded to prosecution for further handling in Agenda Item IV. D. 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance #13-019 Mr. Wheeler made a Motion and it was seconded by Ms. Cagle to recommend that the matter be forwarded to prosecution for further handling in Agenda Item IV. D. 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance #13-020 Mr. Wheeler made a Motion and it was seconded by Mr. Artman to recommend that a Letter of Warning be issued to the appraiser, the file closed and no further action be taken in Agenda Item IV. D. 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance 13-021 Mr. Smithson made a Motion and it was seconded by Mr. Artman to recommend that the matter be forwarded to prosecution for further handling in Agenda Item IV. D. 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

V. **Discussion and Possible Action Regarding Appointment of Individuals to Education, Experience and Testing Committee; Legislation and Rules Committee; and Individuals to Standards and Disciplinary Procedures Committee with Concurrent Appointment as Appraiser Hearing Officers of the Calendar Year 2014.** (Exhibit K)

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to recommend the appointment of individuals to Education, Experience and Testing Committee; Legislation and Rules Committee; and individuals to Standards and Disciplinary Procedures Committee with Concurrent Appointment as Appraiser Hearing Officers of the Calendar Year 2014 in Agenda Item V. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

VI. **Discussion and Possible Action Regarding Appointment of Board Members as Co-Chairs of the Board's Standing Committees for the Calendar Year 2014.** (Exhibit L)

Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to recommend the appointment of Board Members as Co-Chairs of the Board's Standing Committees for the Calendar Year 2014 in Agenda Item VI. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

VII. Discussion and Possible Action Regarding Attendance at the Spring Conference of the Association of Appraiser Regulatory Officials in San Francisco between April 12th and April 14th, 2013; to include Attendance at the Spring Meeting of SRAG and One of the Boards of the Appraisal Foundation on April 11, 2013. (Exhibit M)

Mr. Caesar made a Motion and it was seconded by Mr. Wheeler to recommend seven people attend the Spring Conference of AARO in Agenda Item VII. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

VIII. Discussion and Possible Action Regarding Disposition of the Complaint Against ACT Appraisal, Inc., d/b/a Accurate, Concise & Timely Appraisals; Complaint #A13-001; to Include any Associated Matters or Motions. Tabled at the request of the board prosecutor Stephen L. McCaleb.

Possible Executive Session as authorized by 25 O.S. 2011 §307(B)(8) regarding the above matter in order to engage in deliberations or render a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act. No Action.

IX. NEW BUSINESS.

X. ADJOURNMENT. The Board adjourned by general consent.

OFFICIAL MINUTES.

The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after Motion duly made and seconded has been noted herein and made a part of these minutes. The Board caused the entire proceeding of the meeting, excepting any executive sessions, to be recorded on a digital audio recording device to be retained as a record in the office of the Board. Exhibits are A through M.





LEE R. CAESAR JR., VICE-CHAIRPERSON
OKLAHOMA REAL ESTATE APPRAISER BOARD



ERIC M. SCHOEN, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD