



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

October 6, 2005  
Date

161  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its one hundred sixty first regular meeting on October 6, 2005 at 9:30 a.m. The Meeting was held in the Boardroom of the offices of the Oklahoma Insurance Department at 2401 Northwest 23rd Street, Suite 28, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. § 301 et seq., the agenda for this meeting was posted in the main entrance to the offices of the Oklahoma Insurance Department on Monday, September 26, 2005 at 11:00 a.m., and was mailed to the members and posted to the Insurance Department website on September 26, 2005. Copies were hand-delivered or mailed by the undersigned to the office of the aforementioned members on Monday, September 26, 2005. See Exhibit A

I. **CALL TO ORDER.** Vice-Chairman Lee Caesar, Jr., presiding, 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: Lee R. Caesar, Vice-Chairman;  
Jimmie R. Burton;  
Joey Snyder  
Jana S. Barker;  
Patti L. Fisher;  
James W. Hoyt; and  
P. Lane Wheeler

Board members excused were: Kim Holland, Chairperson

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

Others in attendance were: Christopher Turner; Jerry Jones, Nena Henderson Leo Hall, Stephen L. McCaleb, Board Prosecutor; Sue Wycoff, Board Prosecutor; Joann Stevenson, Board Counsel; Karl Kramer, Assistant General Counsel, Oklahoma Insurance Department; Linda L. Churchill, Licensing Administrator; and Rod Stirman, Board Director.

II. **READING AND APPROVAL OF MINUTES.** Mr. Hoyt moved that the reading of the minutes of the previous session be waived and that they stand approved as corrected, corrections are: page 6, paragraph 2, to read proposal to charge fees for review. Page 7, item 9, Mr. Burton voted yes and Mr. Caesar voted no. Page 7, item 8, Mr. Snyder recused. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

III. **CHAIRMAN'S REPORT.** The Chairman offered no report.

**VICE-CHAIRMAN'S REPORT.** The Vice-Chairman offered no report.

**DIRECTOR'S REPORT.**

A. **Discussion and possible action regarding revocation or possible suspension of individuals for non-payment of annual fees due by July 31, 2005.** See Exhibit B. Mr. Hoyt moved that the list of individuals presented by the Director as failing to pay their annual fees be suspended. The motion was seconded by Mr. Snyder. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

**B. Discussion and possible action regarding authority to issue certificates to those due to renew their licenses by September 30, 2005.** See Exhibit C. A motion was made by Ms. Barker to approve issuance of certificates to those renewing by November 30, 2005. Ms. Fisher seconded the motion.

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

#### IV. BOARD MEMBER REPORTS.

**A. Disciplinary Procedures Committee.** The Committee offered no report.

**B. Education Experience & Testing Committee.**

**1. Discussion and possible action regarding course submittals approval.** Ms. Fisher moved to approve all appraiser education items as reported in Exhibit D. The motion was seconded by Ms. Barker. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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.** See Exhibit E. A motion was made by Ms. Fisher to approve the recommendations offered in paragraphs A through F of the Exhibit. The motion was seconded by Ms. Barker. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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.** See Exhibit F. A motion was made by Ms. Fisher to approve the recommendations offered in paragraphs A through D of the Exhibit. The motion was seconded by Ms. Barker. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

**3. Discussion and possible action regarding policy and procedures of EET Committee.** Tabled for further discussion.

**C. Legislation and Rules Committee.** No report given.

**D. Probable Cause Committee.** Mr. Snyder reported there was a meeting of the Probable Cause Committee.

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Complaint # 05-001 be accepted, that the Board adopt as a formal complaint, and the date, time, and place of hearing in the proposed notice be approved. See Exhibit G. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Recused
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Complaint # 05-056 be accepted, that the Board adopt as a formal complaint, and the date, time, and place of hearing in the proposed notice be approved. See Exhibit G. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Recused
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

Mr. Caesar moved that the Probable Cause committee recommendation with respect to Complaint # 05-065 be accepted, that the Board adopt as a formal complaint, and the date, time, and place of hearing in the proposed notice be approved. See Exhibit G. Mr. Wheeler seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Recused
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Complaint # 05-029 be accepted, that the Board postpone a final decision on whether to adopt this grievance as a formal complaint for six months during which time, the appraiser shall take a corrective education course similar and equal to the Appraisal Institute 420, Business Practice and Ethics Course and provide a certificate of course completion to the Board's administrative office. This course may not be taken as a distance course, and will not be certified as continuing education. See Exhibit G. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	No
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Recused
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND ONE OPPOSED.  
THE MOTION WAS AGREED TO.

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Complaint # 04-094 be accepted, it is the recommendation that this action be terminated. See Exhibit G. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Recused
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

**Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee.** Mr. Snyder made a motion to appoint Harley Bradshaw to the Probable Cause Committee. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED

**V. DISCUSSION AND POSSIBLE ACTION REGARDING CHANGES TO THE OKLAHOMA REAL ESTATE APPRAISER ACT AND THE ADMINISTRATIVE RULES OF THE BOARD.** Rules and Statutory changes to be drafted for presentation next monthly meeting.

**VI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONSENT ORDER IN COMPLAINT NO. 04-053, 04-041 AND 03-022, IN THE MATTER OF WILLIAM A. WOOD.** The Director reported that the consent order not signed by the respondent.

By order of the Chair, this matter was tabled to the next regular session, November 4, 2005.

**VII OLD BUSINESS.**

**0506 Discussion and possible action regarding publication of a uniform standards for measurement policy for the Board.** After discussion, action was postponed on this matter until the next session at the request of Ms. Fisher.

**0508 Discussion and possible action regarding disciplinary hearing panel recommendation in the Matter of Christopher S. Turner, Complaint No. 04-054.**

**Possible Executive Session as authorized by 25 O.S. 2001 §307(B)(8), regarding the above matter and in order for the Board to discuss legal matters related to this action with its attorney.**

Ms. Fisher and Mr. Hoyt recused themselves from consideration due to their service on Probable Cause Committees dealing with this matter. Mr. Burton recused himself from consideration of this matter due to his geographic location with respect to the Respondent. Mr. Wheeler recused due to the fact he served on the Disciplinary Hearing Committee on this matter. The recusals left the Board without a quorum.

The Director announced that in anticipation of recusals, the Office of the Governor of Oklahoma had made two appointments of Board Members Pro Tempore. The individuals appointed were Ms. Jerry L. Jones of Shawnee and Ms. Nena W. Henderson of Edmond. Copies of their appointments, Oaths of Office, and Loyalty Oaths are attached as **Exhibit H**.

No request for oral argument was received from the respondent. Oral Argument is not on the Agenda.

Mr. Snyder made a motion the Board go into Executive Session. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Recuse
	Mr. Wheeler	Recuse
	Ms. Fisher	Recuse
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Recuse
	Mr. Caesar	Yes
	Ms. Jones	Yes
	Ms. Henderson	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.

Mr. Snyder moved that the to Board return to regular session. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Recuse
	Mr. Wheeler	Recuse
	Ms. Fisher	Recuse
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Recuse
	Mr. Caesar	Yes
	Ms. Jones	Yes
	Ms. Henderson	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.

The Board questioned the Director.

Ms. Barker made a motion the Board return to Executive Session. Mr. Snyder seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Recuse
	Mr. Wheeler	Recuse
	Ms. Fisher	Recuse
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Recuse
	Mr. Caesar	Yes
	Ms. Jones	Yes
	Ms. Henderson	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.

Mr. Snyder moved that the to Board return to regular session. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Recuse
	Mr. Wheeler	Recuse
	Ms. Fisher	Recuse
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Recuse
	Mr. Caesar	Yes
	Ms. Jones	Yes
	Ms. Henderson	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.

Ms. Barker made a motion that the Board accept the recommendations of the Disciplinary Hearing Panel and suspend the Respondent's credentials for a period of 60 days, following the period of suspension, Respondent shall be required to have the first 30 appraisal reports co-signed by an appraiser credentialed by the Board as a Certified Residential Appraiser or Certified General Appraiser, and a copy of each report forwarded to the Board's administrative office for review. Respondent's suspension may not be lifted until Respondent successfully completes, as corrective education, the 15 hour National USPAP Course, which may not be used as continuing education and may not be taken as distance learning, and transmits a copy of the certificate of course completion to the Board's administrative office. See Exhibit I. Mr. Snyder seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Recuse
	Mr. Wheeler	Recuse
	Ms. Fisher	Recuse
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Recuse
	Mr. Caesar	Yes
	Ms. Jones	Yes
	Ms. Henderson	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.

**0509B Discussion and possible action regarding approval of consent order in Complaint No. 05-039, in the Matter of Chad F. Stites.**

**Possible Executive Session as authorized by 25 O.S. 2001 §307(B)(8), regarding the above matter and in order for the Board to discuss legal matters related to this action with its attorney.**

Ms. Fisher and Mr. Hoyt recused themselves from consideration due to their service on Probable Cause Committees dealing with this matter. Mr. Burton recused himself from consideration of this matter due to his geographic location with respect to the Respondent.

Ms. Barker made a motion to approve the Consent Order 05-039. The Respondent waives the right to hearing and the Respondent's license is suspended for a period of 30 days. Mr. Snyder seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Recuse
	Mr. Wheeler	Yes
	Ms. Fisher	Recuse
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Recuse
	Mr. Caesar	Yes
	Ms. Jones	Yes
	Ms. Henderson	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.

At this point the Board returned to regular order by order of the Chair. The pro-tem members were discharged and the regular members reelected.

**0509C Discussion and possible action regarding application for reinstatement of Leo D. Hall. See Exhibit J.**

Mr. Burton recused himself from consideration of this matter due to his geographic location with respect to the Respondent.

Mr. Caesar Made a motion to reinstate the license of Mr. Leo D. Hall. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:		Recuse
	Mr. Burton	
	Mr. Wheeler	Yes
	Ms. Fisher	No
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND ONE OPPOSED.  
THE MOTION WAS AGREED TO.

VIII. **NEW BUSINESS.** None.

IX. **ADJOURNMENT.** A Motion for adjournment was made by Mr. Caesar and seconded by Ms. Barker. 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 an audio recording device with audiotape to be retained as a record in the office of the Board.

**EXHIBITS** are A through J.

In witness we have hereunto set our hand and caused the Seal of the State of Oklahoma to be affixed by the Board Secretary, at the City of Oklahoma City, State of Oklahoma, this 6th day of October 2005.

  
\_\_\_\_\_  
**LEE R. CAESAR, VICE-CHAIRMAN**  
OKLAHOMA REAL ESTATE APPRAISER BOARD

\_\_\_\_\_  
**LINDA L. CHURCHILL, SECRETARY**  
OKLAHOMA REAL ESTATE APPRAISER BOARD