



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

January 6, 2006
Date

164
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its one hundred sixty fourth regular meeting on January 6, 2006 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 Tuesday, December 19, 2005 at 11:00 a.m., and was posted to the Insurance Department website on December 19, 2005. Copies were hand-delivered or mailed by the undersigned to the office of the aforementioned members on Tuesday, December 19, 2005. The Agenda and addendum are attached as 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: Kim Holland, Chairperson
Lee R. Caesar, Vice-Chairman;
Jimmie R. Burton;
Joey Snyder;
Patti L. Fisher;
James W. Hoyt; and
P. Lane Wheeler

Board member excused was: Jana S. Barker

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

Others in attendance were; Joann Stevenson, Board Counsel; Karl Kramer, Assistant General Counsel, Oklahoma Insurance Department; Myloe Wilson, Sandra Collins, John Story, Connie Burk, Jevon Tresner, Kenneth Creger, Roger De Spain, 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 printed and distributed. 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	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

III. **CHAIRMAN'S REPORT.** No report given.

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.** See Exhibit B. Mr. Hoyt moved that the list of individuals presented by the Director as failing to pay their annual fees with the exception of Brian K. Pinkston be suspended. The motion was seconded by Ms. Fisher. 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
	Mr. Hoyt	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 authority to issue certificates to those due to renew their licenses by February 28, 2006. See Exhibit C. A motion was made by Mr. Hoyt to approve issuance of certificates to those due to renew by February 28, 2006. 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	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

By order of the Chair, Agenda Item VII A was taken out of order and offered for consideration.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING PAYMENT OF PROSECUTOR SUE WYCOFF. Mr. Hoyt moved to approve the payment of Sue Wycoff, Board Prosecutor and Stephen L. McCaleb, Board Prosecutor, and payment be made by the February meeting. 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
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

A motion was made by Mr. Caesar that all complaints that the Board has directed to be referred are to be referred immediately and continue to be referred from this point forward prior to the next scheduled Board meeting. 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
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

A motion was made by Mr. Caesar that the Director report on a monthly basis to the Board informing them of all the disciplinary grievances status. 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
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

A motion was made by Mr. Burton, that all grievances referred to the prosecutors, be put on a systematic rotation. 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	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

A motion was made by Mr. Caesar to authorize Joanne Stevenson to revise or amend the prosecutors contract for expedient payment processing. 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
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX 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 with the Experience Review Seminar amended to 3 hours of continuing education. The motion was seconded by Mr. Burton. 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
	Mr. Hoyt	Yes
	Mr. Caesar	NO

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND ONE 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 Mr. Hoyt to approve the recommendations offered in paragraphs A through E of the Exhibit. 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
	Mr. Hoyt	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 F.

By order of the chair, this item was tabled until later in the meeting.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING LENGTH OF WAITING TIME FOR RESUBMISSION OF APPLICATION FOLLOWING DISAPPROVAL OF EXPERIENCE DOCUMENTATION. A motion was made by Mr. Hoyt to amend the six (6) month waiting period to two (2) months retroactive to the last vote in September. 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	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	No

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

3. Discussion and possible action regarding approval or disapproval of experience documentation of applicants. A motion was made by Ms. Fisher to approve the recommendations offered in paragraphs 1 through 3. The motion was seconded by Mr. Hoyt. See Exhibit F. 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
	Mr. Hoyt	Yes
	Mr. Caesar	No

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

C. Legislation and Rules Committee. The committee offered no report.

D. Probable Cause Committee.

1. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. Mr. Wheeler reported a meeting is scheduled for January 27, 2006. No report at this time.

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

3. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee. Mr. Snyder made a motion to appoint Mr. Harley Bradshaw for the next three (3) months term to the Probable Cause Committee. Mr. Snyder 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
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

V. DISCUSSION AND POSSIBLE ACTION REGARDING THE PROPOSED AMENDMENTS TO CHAPTER 10, 15, AND 20, TITLE 600, OKLAHOMA ADMINISTRATIVE CODE TO INCLUDE RECEIPT OF COMMENTS, CONTACT OF PUBLIC HEARING, AND POSSIBLE FINAL ADOPTION. See Exhibit G.

Mr. Hoyt made a motion that proposed changes to 600: 10-1-5 be adopted. 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	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 made a motion to strike any changes to 600: 10-1-6. Mr. Burton seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS THREE VOTES IN THE AFFIRMATIVE AND THREE OPPOSED
THE MOTION FAILED.

(Secretary note: In essence, this was a vote to not adopt the changes. While votes were insufficient to not adopt the changes, neither were the votes sufficient to adopt the changes. In the absence of a recorded vote to adopt changes, the result is that the changes were not adopted.)

Mr. Caesar made a motion that 600: 10-1-7 paragraphs A and D, be adopted as presented. 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
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

Mr. Hoyt made a motion regarding to 600: 10-1-8 to adopt all changes with the exception of paragraph C. Mr. Snyder 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
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

Mr. Caesar made a motion regarding 600: 10-1-8 paragraph c to strike: "Course providers shall provide written notice of date, time, place, and title of courses to be presented not less than 30 days in advance of the beginning date of the course." Mr. Burton seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS TWO VOTES IN THE AFFIRMATIVE AND FOUR OPPOSED
THE MOTION FAILED.

Mr. Hoyt made a motion to adopt 600: 10-1-8(c). Mr. Hoyt then amended his motion change the language: "(c) Course providers shall provide written notice of date, time, place, and title of course to be presented not less than 7 days..." 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	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	No

THE RESULT WAS FOUR VOTES IN THE AFFIRMATIVE AND TWO OPPOSED
THE MOTION WAS AGREED TO.

Mr. Hoyt made a motion to adopt changes to 600:10-1-16, amending paragraph (h)(2) to read: "...the facility will be open and a qualified supervisor present." 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	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 made a motion to adopt changes to 600: 15-1-6 with the exception of paragraph g to strike the words in the first sentence: "or the Department." 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	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 made a motion to adopt the changes to 600: 20-1-3. 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	Yes
	Mr. Hoyt	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 APPROVAL OF A RECIPROCITY AGREEMENT BETWEEN THE KANSAS REAL ESTATE APPRAISER BOARD AND THE OKLAHOMA REAL ESTATE APPRAISER BOARD. See Exhibit H. Mr. Hoyt made a motion to approve the agreement. 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	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

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

VII. **OLD BUSINESS.** None

VIII. **NEW BUSINESS.** None.

IX. **ADJOURNMENT.** A motion for adjournment was made by Mr. Hoyt and seconded by Ms. Fisher. 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 H.

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 January 2005.



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



LINDA L. CHURCHILL, SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD