



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

February 3, 2006  
Date

165  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its one hundred sixty fifth regular meeting on February 3, 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 Wednesday, January 25, 2006 at 11:00 a.m., and was posted to the Insurance Department website on January 25, 2006. Copies were hand-delivered or mailed by the undersigned to the office of the aforementioned members on Wednesday, January 25, 2006. The Agenda is 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: Lee R. Caesar, Vice-Chairman;  
Jana S. Barker;  
Joey Snyder;  
Patti L. Fisher;  
James W. Hoyt; and  
P. Lane Wheeler

Board member excused was: Kim Holland, Chairperson; and  
Jimmy R. Burton

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

Others in attendance were; Joann Stevenson, Board Counsel; Robert Noll, Assistant General Counsel, Oklahoma Insurance Department; Don Riley, Janet Braswell, Greg Goodpasture, Runemieke Roell, Linda L. Churchill, Board Secretary; and Rod Stirman, Board Director.

II. **READING AND APPROVAL OF MINUTES.** Mr. Hoyt moved that the reading of the minutes of the previous sessions, 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:	Ms. Barker	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 be suspended. The motion was seconded by Ms. Fisher. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	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 March 31, 2006. Ms. Fisher seconded the motion. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	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 IX. was taken out of order and offered for consideration.

**IX. DISCUSSION AND POSSIBLE ACTION REGARDING REMARKS FROM DON RILEY PERTAINING TO THE TRAINEE APPRAISER PROGRAM.** No action taken.

The Board returned to regular order.

**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.**

Mr. Caesar moved to approve numbers 1. through 4. appraiser education items as reported in Exhibit E with the exception of 2. amended for approval. The motion was seconded by Ms. Fisher. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	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.

Ms. Barker moved to approve appraiser education item number 5 as reported in Exhibit E. The motion was seconded by Ms. Fisher. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	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 F. A motion was made by Ms. Barker 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	Ms. Barker	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.** See Exhibit G. Ms. Fisher made a motion that the upgrade application be denied for Tommy Harlow. The motion was seconded by Ms. Barker. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Ms. Barker	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.

**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.** There was a meeting January 27, 2006. In attendance were: Mr. Wheeler, Mr. Bradshaw, Mr. Bardsley and the Director. Their report is Exhibit H.

Mr. Caesar moved that the Probable Cause committee recommendation with respect to Complaint # 05-043 be accepted. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Ms. Barker moved that the Probable Cause committee recommendation with respect to Complaint # 05-062 be accepted and forwarded to the prosecutor for action. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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 # 05-089 be accepted and forwarded to the prosecutor for action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Ms. Barker moved that the Probable Cause committee recommendation with respect to Complaint # 05-091 be accepted and postpone a decision for 6 months pending respondent taking a course. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Ms. Barker moved that the Probable Cause committee recommendation with respect to Complaint # 05-096 be accepted and a letter of warning be sent. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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 # 05-099 be accepted and the matter be closed. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

By order of the chair, items number 05-103, 05-104 and 05-105 were tabled until the next meeting.

Mr. Caesar moved that the Probable Cause committee recommendation with respect to Complaint # 05-130 be accepted and forwarded to a prosecutor for action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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 # 05-132 be accepted and the matter be referred to the Texas Certification Board for further action. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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 # 06-004 be adopted as a formal complaint and referred to a prosecutor for action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

There was a second Probable Cause Committee meeting January 27, 2006. In attendance were: Mr. Snyder, Mr. McGlamery, and the Director. Their report is Exhibit I.

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Complaint # 05-037 be adopted as a formal complaint and referred to a prosecutor for action. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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 # 05-019 be adopted as a formal complaint and referred to a prosecutor for action. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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 # 05-070 be adopted and the matter closed without further action. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

**6. Discussion and possible action regarding appointment of volunteers and/or commit members to assist the Probable Cause Committee.** Mr. Caesar made a motion to appoint Mr. Wheeler to another 3 months on the Probable Cause Committee. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Ms. Barker	Yes
	Mr. Wheeler	No
	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.

- V. **DISCUSSION AND POSSIBLE ACTION REGARDING PAYMENT OF PROSECUTORS.** Mr. Caesar made a motion to approve the contracts for legal services, agreements and releases. Ms. Fisher seconded the motion. See Exhibit J & K. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Ms. Barker	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.

- VI. **DISCUSSION AND POSSIBLE ACTION REGARDING DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF PEGGY S. THOMPSON, COMPLAINT NUMBER 05-049, TO INCLUDE HEARING OF ORAL ARGUMENTS UNDER THE PROVISIONS OF OAC 600:15-1-17.**

**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 ATTORNEYS.**

This item was tabled until next month.

VII. **DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONSENT ORDER IN THE MATTER OF DAN W. MONTAGUE, COMPLAINT #04-060.**

**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 ATTORNEYS.**

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

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

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

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

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

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

Mr. Hoyt made a motion to approve the consent order, 04-060. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

VIII. **DISCUSSION AND POSSIBLE ACTION REGARDING STAFFING OF THE REAL ESTATE APPRAISER DIVISION OF OKLAHOMA INSURANCE DEPARTMENT.** No action taken.

X. **OLD BUSINESS.**

**511 DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONSENT ORDER(S) IN COMPLAINT NO. 04-021, IN THE MATTER OF FRANCIS E. HARPER AND EDDIE R. PETERS.**

**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 ATTORNEYS.**

Consent orders have not been received. Item remains Tables.

XI. **NEW BUSINESS.** Mr. Snyder and Mr. Hoyt volunteered for the Budget Committee.

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XII. **ADJOURNMENT.** A motion for adjournment was made by Mr. Hoyt and seconded by Ms. Fisher. The Board adjourned by general consent.

**OFFICIAL MINUTES.**

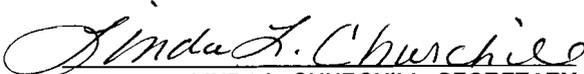
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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 C, E through K.

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 3rd day of February 2006.

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

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