

Exhibit B: OREAB Application for Controlling Person or Owner of 10% or More of Appraisal Management Company submitted by JVI Appraisal Division, LLC identifying as the controlling contact person Ronnie Lynn Nation, with a physical residence address of 120 Stone Post Road, Longwood, Florida 32746.

Exhibit C: Email from Michelle Davis requesting a change in the Mailing Address of JVI Appraisal Division, LLC, from 951 Market Promenade Ave. Ste. 2101, Lake Mary, Florida 32746, to 701 International Pkwy Ste. 200, Lake Mary, Florida 32746.

Exhibit D: U.S. Postal Service Certified mailing showing addressee as Ronnie L. Nation, 120 Stone Post Road, Longwood, Florida 32746, and certified mail receipt signed by Ron Nation on February 15, 2014.

Ms. McEntire testified the certified mail receipt, Exhibit D, was the receipt for the certified mailing of the Notice of Disciplinary Proceedings and Appointment of Hearing Examiner filed in the above numbered and entitled cause, and was mailed to Ronnie L. Nation on February 12, 2014.

The Board's prosecutor offered into evidence as Exhibit E the sworn affidavit of Nena Henderson, a licensed Oklahoma Certified Residential Appraiser. Exhibit E was admitted into evidence by the Hearing Examiner. Ms. Henderson stated she had received an appraisal assignment from JVI Appraisal Division, LLC, for property located at 21285 Backhorn Road, Edmond, Oklahoma, which she accepted and completed on or about June 16, 2012. She further stated that as of March 11, 2014, JVI Appraisal Division, LLC, had still not paid for her services in appraising the property located at 21285 Backhorn Road, Edmond, Oklahoma.

JURISDICTION

1. The OREAB has a duty to carry out the provisions of the Oklahoma Appraisal Management Company Regulation Act ("Act"), 59 O.S. 858-801 through 858-829, and to establish administrative rules to implement the provisions of the Act. 59 O.S. 858-829.

2. The OREAB has promulgated rules to implement the Act, including rules for enforcement, Oklahoma Administrative Code 600:35-1-1 through 600:35-1-20.

3. Respondent JVI Appraisal Division, LLC, is a registered appraisal management company in the State of Oklahoma, holding certificate number 60082AMC. Respondent Ronnie Lynn Nation is the 100% controlling

person of JVI Appraisal Division, LLC, and is the officer and controlling person designate in JVI Appraisal Division, LLC's filings with the OREAB.

FINDINGS OF FACT

The Board adopts in full the Findings of the Hearing Examiner and that the following Facts were proven by clear and convincing evidence:

1. That Respondent JVI Appraisal Division, LLC, is a registered Appraisal Management Company in the State of Oklahoma, holding certificate number 60082AMC, having first registered June 30, 2012.

2. The designated officer, controlling person, and owner of 100% of JVI Appraisal Division, LLC, is Respondent Ronnie Lynn Nation. Exhibits A & B.

3. On February 12, 2014, the Notice of Disciplinary Proceedings and Appointment of Hearing Examiner filed in the above numbered and entitled cause was mailed by certified mail to Ronnie Lynn Nation, at the physical residence address identified by him on the Application for Registration and Application for Controlling Person. Exhibits A & B.

4. On February 15, 2014, certified mail service of the Notice of Disciplinary Proceedings and Appointment of Hearing Examiner filed in the above numbered and entitled cause was made on JVI Appraisal Division, LLC, by serving Ronnie Lynn Nation at the physical residence address identified by him on the Application for Registration and Application for Controlling Person. Exhibits A & B.

5. Nena Henderson is an Oklahoma Certified Residential Appraiser. Exhibit E.

6. On or about June 5, 2012, Ms. Henderson received an appraisal assignment from JVI Appraisal Division, LLC, for a property located at 21285 Backhorn Road, Edmond, Oklahoma. The assignment was for a retrospective field review. Exhibit E.

7. Ms. Henderson accepted the assignment and completed the report on or about June 16, 2012.

8. As of March 11, 2014, JVI Appraisal Division, LLC, had still not paid Ms. Henderson for her services related to the property located at 21825 Backhorn Road, Edmond, Oklahoma.

CONCLUSIONS OF LAW

The Board adopts in the full the Conclusions of Law as determined by the Hearing Examiner below:

1. Prior to taking any administrative action against an Oklahoma appraisal management company,

written notice must be provided, as follows:

D. Written notice of charges shall be provided as follows:

1. Before taking any administrative action against any registration, the Real Estate Appraiser Board shall notify the registrant in writing of any charges made at least thirty (30) days prior to the date set for hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

2. The written notice may be served personally or *sent* by registered or certified mail to the last-known address of either the registrant's controlling person or the registrant's service agent in this state.

Title 59 O.S. 858-828(D)(emphasis added).

2. The March 14, 2013, hearing in this matter was held exactly thirty (30) days after the certified mail notice to Respondents was deposited in the mail, but only 28 days after the notice was received by the Respondents.

3. However, the notice statute, 59 O.S. 858-828(D), does not specify that the Respondent must receive notice at least thirty (30) days prior to the hearing.

4. Legislative acts are to be construed in such a manner as to reconcile the different provisions and render them consistent and harmonious, and give intelligent effect to each. *Personal Loan & Finance Co. v. Oklahoma Tax Commission*, 437 P.2d 1015, syllabus, (Okla. 1968). Reading 59 O.S. 858-828(D) in its entirety, it is concluded that certified mail notice of the hearing must only be sent (deposited in the mail) at least thirty (30) days prior to the hearing date.

5. Sufficient notice, pursuant to 59 O.S. 858-828(D), was given in this case where, on February 12, 2014, the Notice of Disciplinary Proceedings and Appointment of Hearing Examiner filed in the above numbered and entitled cause was mailed by certified mail to Ronnie Lynn Nation, at the physical residence address identified by him on the Application for Registration and Application for Controlling Person.

6. "Each AMC shall, except in bona fide cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within sixty (60) days of the date on which the appraiser transmits or otherwise provides the completed appraisal or valuation study to the AMC or its assignee unless a mutually agreed upon alternate arrangement has been previously established." 59 O.S. 858-821.

7. An AMC is defined by the Act as "an individual, firm, partnership, association, corporation or limited liability company that performs appraisal management services, regardless of the use of the term appraisal management company, mortgage technology provider, mortgage services provider, lender processing services provider, loan processor, real estate closing services provider, vendor management company or any other term". 59 O.S. 858-803(2).

8. The definition of an AMC, and application of 59 O.S. 858-821, does not depend on whether or not an AMC is registered with the State of Oklahoma.

9. Although Nena Henderson was engaged by JVI Appraisal Division, LLC, to perform an appraisal assignment in Oklahoma prior to the company being registered with the OREAB, pursuant to 59 O.S. 858-821, the company had an obligation to pay Nena Henderson within sixty (60) days of June 16, 2012, when Ms. Henderson completed the appraisal assignment for JVI Appraisal Division, LLC.

10. Because JVI Appraisal Division, LLC, did not pay Ms. Henderson within sixty (60) days of June 16, 2012, and had still not paid Ms. Henderson as of March 11, 2014, JVI Appraisal Division, LLC has violated 59 O.S. 858-821.

FINAL ORDER

Because JVI Appraisal Division, LLC, has violated 59 O.S. 858-821, the Board hereby revokes the registration of JVI Appraisal Division, LLC, without the right to reapply.

THE BOARD WISHES TO ADVISE THE RESPONDENT THAT HE HAS THIRTY (30) DAYS TO APPEAL THIS ORDER WITH THE APPROPRIATE DISTRICT COURT.

IT IS SO ORDERED this 4th day of June, 2014.



By: *Eric M. Schoen*
ERIC SCHOEN, Board Secretary

By: *Bryan Neal*
BRYAN NEAL, Assistant Attorney General
Counsel to the Board

CERTIFICATE OF MAILING

I, Ashley Snider, hereby certify that on the 1st day of June, 2014 a true and correct copy of the above and foregoing Board's Decision as to Hearing Examiner's Proposed Findings of Fact, Conclusions of Law and Disciplinary Recommendation was placed in the U.S. Mail, with postage pre-paid, by certified mail, return receipt requested to:

Ronnie L. Nation
JVI Appraisal Division LLC.
701 International Parkway, Suite 200
Lake Mary, Florida 32746

70132250000050460052

Ronnie L. Nation
120 Stone Post Road
Longwood, Florida 32746

70132250000050460045

and that copies were forwarded by first class mail to the following:

Janis Preslar, Assistant Attorney General
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ASHLEY SNIDER