



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

August 4, 2006

Date

171

Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its one hundred seventy first regular meeting on August 4, 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, July 25, 2006 at 11:00 a.m., and was posted to the Insurance Department website on July 25, 2006. Copies were hand-delivered or mailed by the undersigned to the office of the Board members on Tuesday, July 25, 2006. The addendum was emailed to the Board members, posted at the main entrance and to the website on August 2, 2006. The Agenda and addendum are attached as Exhibit A.

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

Board member excused was: Kim Holland, Chairperson.

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; Charles Barnes; Greg Goodpasture; Annemieke Roell; Janet Braswell, 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 session, and the minutes of the special meeting, be waived and that they stand approved. 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
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes
	Mr. Snyder	Yes

THE RESULT WAS SEVEN 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.

The Board, by general consent, directed the Director to look into provision of a work product review seminar for the work product reviewers and again for those contemplating upgrading.

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 Mr. Caesar. 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, 2006. See Exhibit C. A motion was made by Mr. Caesar to approve issuance of certificates to those due to renew by September 30, 2006. 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.
THE MOTION WAS AGREED TO.

IV. COMMITTEE 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. Hoyt moved to approve the recommendations for appraiser education items as reported in Exhibit D, with the exceptions that item 5 be approved contingent on submission of appropriate documentation prior to the course offering, and that item 10 stand approved. 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
	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 Mr. Hoyt to approve the recommendations offered. 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. Exhibit F.

Mr. Hoyt moved that the upgrade application of Brandon A. Huisenga be disapproved as recommended. 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.

Mr. Caesar moved that the upgrade application of David Dormont be disapproved as recommended. 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	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 appointment of volunteers and/or committee members to assist the Probable Cause Committee. Ms. Barker made a motion to appoint Ms. Keri Osburn to the Reviewer List. Mr. Burton 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.

C. Legislation and Rules Committee. No report given.

D. Probable Cause Committee.

1. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. The Probable Cause Committee met on Friday, July 28, 2006. Mr. Wheeler chaired the meeting, with Mr. Bardsley and Mr. Hinkle, members, in attendance, as were Mr. McCaleb and the Director. Their report is Exhibit G.

As to an item that had been postponed from an earlier date, Mr. Burton moved that the Probable Cause Committee recommendation with respect to Complaint # 06-057 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:	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.

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Complaint # 06-029 be closed without further action. Mr. Caesar seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	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 Grievance 06-042 be amended to issuance of a Letter of Concern including recommendation of an ANSI course to the respondent. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	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 # 06-049 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:	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	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 # 06-055 be closed without further action. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

Ms. Barker moved that the Probable Cause Committee recommendation with respect to Grievance 06-059 be amended to issuance of a Letter of Concern including recommendation of an ANSI course to the respondent. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	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. Burton moved that the Probable Cause Committee recommendation with respect to Control Number 06-080 be accepted as presented. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Ms Barker moved that the Probable Cause Committee recommendation with respect to Complaint # 06-086 be accepted and forwarded to the prosecutor for action. Mr. Burton seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	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 # 06-094 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:	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	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.

2. Discussion and possible action regarding appointment of volunteers and/or committee members to assist the Probable Cause Committee. Ms Fisher made a motion to appoint Mr. Lee Caesar Jr. to the Probable Cause Committee. Mr. Burton 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.

3. Discussion and possible action regarding standing operating procedures for the Probable Cause Committee. See Exhibit H. Mr. Hoyt made a motion to accept the recommendations included in the exhibit by the committee regarding administrative procedures for handling grievances. These changes include an opportunity for a written response as well as transmittal of the grievance and response to the PCC members prior to the PCC meeting. 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
	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.

V. **DISCUSSION AND POSSIBLE ACTION REGARDING ORDERING EXAMINATION OF A COURSE PROVIDER IN ACCORDANCE WITH THE PROVISIONS OF OAC 600:10-1-8(I).** See Exhibit I. This item was tabled.

VI. **OLD BUSINESS.**

0607(A) **DISCUSSION AND POSSIBLE ACTION REGARDING ENGAGEMENT OF LOBBYIST ON BEHALF OF THE BOARD.** This item was tabled.

0607(B) **DISCUSSION AND POSSIBLE ACTION REGARDING USE OF INVESTIGATORS UNDER CONTRACT WITH THE REAL ESTATE APPRAISER BOARD IN THE DISCIPLINARY PROCESS.** See Exhibit J.

The committee appointed to make recommendations in this matter met on July 28, 2006. Mr. Snyder, Mr. Hoyt, Ms. Fisher, Mr. Caesar, Ms. Wycoff, and the Director were present and prepared the recommendation at Exhibit J.

Ms. Barker made a motion to accept the committee's recommendation to employ investigators to assist in the disciplinary process, with this issue to be revisited 6 months following hiring. Mr. Burton 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.

By order of the Chair, Agenda Item V(A) was taken out of order and offered for consideration at this point in the meeting.

V(A). DISCUSSION AND POSSIBLE ACTION REGARDING ADMINISTRATIVE RULES DISAPPROVED BY THE LEGISLATURE IN SJR32. See Exhibits K and L. Ms. Barker moved that the Director notify Trainee Appraisers and State Licensed Appraiser supervisors of law changes requiring that supervisor-trainee relationships between State Licensed and Trainee Appraisers be dissolved and who authored the law by certified mail, such changes to be effective on receipt of the letter. 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.

At this point, the Board returned to regular order.

0607(C) DISCUSSION AND POSSIBLE ACTION REGARDING EMERGENCY RULEMAKING FOR CHAPTERS 10 AND 15, TITLE 600, OKLAHOMA ADMINISTRATIVE CODE. See Exhibit M. Ms. Barker made a motion to accept the changes as presented. 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
	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.

VII. **NEW BUSINESS.** None reported.

VIII. **ADJOURNMENT.** A motion for adjournment was made and the Board adjourned by general consent.

OFFICIAL MINUTES.

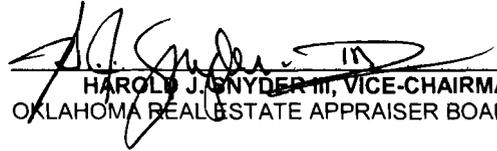
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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 M.

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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 4th day of August 2006.


HAROLD J. SNYDER III, VICE-CHAIRMAN
OKLAHOMA REAL ESTATE APPRAISER BOARD


LINDA L. CHURCHILL, SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD