



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

September 8, 2006  
Date

172  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regular meeting September 8, 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 August 29, 2006, at 11:00 a.m. and was mailed to the offices of the Board members and posted to the REAB website on August 29, 2006. The agenda is attached as Exhibit A.

I. **CALL TO ORDER.** Vice-Chairman Joey Snyder 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;  
Joey Snyder, Vice-Chairperson;  
Jana S. Barker;  
Patti L. Fisher;  
James W. Hoyt;  
Lane Wheeler;  
Kim N. Allen; and  
Lee R. Caesar, Jr.

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

Others in attendance were: Rod Stirman, Director; Joann Stevenson, Board Counsel; John Mahoney, attorney for Commissioner Kim Holland; and Sherry Standerfer, Legal Assistant. Others present were: Jerry Jones, Michael Roberts, Janet Braswell, Roger DeSpain, Molly Leatherwood, Sue Wycoff, Thomas L. Rodabaugh, Dan W. Montague, and David Wakefield.

II. **READING AND APPROVAL OF MINUTES.** Mr. Hoyt moved that the reading of the minutes of the previous session be waived and approved as published as distributed. The motion was seconded by Mr. Caesar. The Chair ordered a roll call vote with the following results:

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

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

III. **CHAIRPERSON'S REPORT.** Commissioner Holland offered a short report regarding SJR 32 and relationships with legislators.

By order of the Chair, Agenda Item XII was taken out of order and offered for consideration at this point in the session.

XII. **DISCUSSION AND POSSIBLE ACTION REGARDING EMERGENCY RULEMAKING FOR CHAPTERS 10 AND 15, TITLE 600, OKLAHOMA ADMINISTRATIVE CODE.** (Exhibit B)

A Motion was made by Mr. Hoyt and seconded by Ms. Fisher to approve the following language as a substitute for that offered by staff with regard to OAC 600:10-1-16(e)(2): "Be a state certified general appraiser, a state certified residential appraiser, or a state licensed appraiser under AQB criteria appraiser on a credential issued by the Oklahoma Real Estate Appraiser Board provided, however, that the trainee supervisor relationships between state licensed under AQB criteria appraisers and trainee appraisers shall only be permissible until January 1, 2008."

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

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

A Motion was made by Mr. Hoyt and seconded by Ms. Fisher to approve, with the inclusion of the change just made, the rules that are before them.

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

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

A Motion was made by Mr. Caesar and seconded by Ms. Fisher to declare the rules presented to the Board as an emergency under Oklahoma Statutes.

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

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

By order of the Chair, the Board returned to regular order.

III. **VICE-CHAIRPERSON'S REPORT.** The Vice-Chairperson offered no report.

**DIRECTOR'S REPORT.**

**A. Discussion and possible action regarding suspension of individuals for non-payment of annual fees.** A motion was made by Mr. Caesar and seconded by Mr. Hoyt to issue an order to suspend individuals listed in agenda item III, Director's Report A for non-payment of annual fees. (Exhibit C) The Chair ordered a roll call vote with the following results:

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

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

**B. Discussion and possible action regarding approval of renewal applications and authority to issue certificates.** (Exhibit D) A motion was made by Mr. Hoyt and seconded by Ms. Barker to approve board staff to issue renewal certificates of individuals listed in agenda item III, Director's Report B upon receipt of proof of their CE and payment of appropriate fees.

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

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

**IV. COMMITTEE REPORTS:**

**A. Standards and Disciplinary Procedures Committee.** No report offered.

**B. Education, Experience and Testing Committee:**

**1. Discussion and possible action regarding approval of course submittals.** (Exhibit E) A Motion was made by Ms. Barker and seconded by Mr. Caesar to approve educational submissions as presented in agenda item number IV B 1. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Yes
	Ms. Fisher	Yes
	Mr. Snyder	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.** (Exhibit F) A Motion was made by Ms. Barker and seconded by Mr. Hoyt to allow staff to issue trainee appraiser certificates upon proof of successful completion of the exam and payment of the appropriate fees as listed in agenda item IV B 2 (a). The Chair ordered a roll call vote with the following results:

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

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

A Motion was made by Mr. Hoyt and seconded by Ms. Barker to allow staff to be given authority to issue upgrade certificates contingent upon successful completion of the exam and payment of any required fees as stated in agenda item IV B 2 (b). The Chair ordered a roll call vote with the following results:

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

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

A Motion was made by Mr. Hoyt and seconded by Ms. Barker to allow staff to issue original certificates based upon reciprocity as stated in agenda item 4 B 2 (c). The Chair ordered a roll call vote with the following results:

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

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

A Motion was made by Mr. Hoyt and seconded by Ms. Barker to allow staff to issue to the individual listed in agenda item 4 B 2 (d) a reinstatement certificate. The Chair ordered a roll call vote with the following results:

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

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

A Motion was made by Ms. Barker and seconded by Mr. Hoyt to allow Staff to issue a transfer credential to the individual named in agenda item 4 B 2 (e). The Chair ordered a roll call vote with the following results:

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

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

**C. Legislation and Rules Committee:** The committee had no report.

**D. Probable Cause Committee.**

**1. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations.** The Probable Cause Committee did not meet.

**2. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee.** A Motion was made by Mr. Hoyt and seconded by Ms. Barker regarding appointment of Travis Parsons as primary and Mark Bardsley as secondary volunteers to the Probable Cause Committee. The Chair ordered a roll call vote with the following results:

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

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

**V. DISCUSSION AND POSSIBLE ACTION REGARDING DISCIPLINARY HEARING PANEL RECOMMENDATION IN COMPLAINT NO. 06-037, IN THE MATTER OF DAN W. MONTAGUE, TO INCLUDE HEARING OF ORAL ARGUMENT UNDER THE PROVISIONS OF OAC 600:15-1-17.**  
(Exhibit G)

Mr. Wheeler and Mr. Allen recused themselves.

A Motion was made by Ms. Barker and seconded by Mr. Hoyt that the Board to go into Executive Session. The Chair ordered a roll call vote with the following results:

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

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

The Board entered Executive Session.

The Board returned from Executive Session. The Secretary called the roll of Board members with the result that Mr. Snyder, Ms. Barker, Ms. Fisher, Mr. Hoyt and Mr. Caesar were present and constituted a quorum.

A Motion was made by Mr. Snyder and seconded by Mr. Caesar for the Board to adopt in part the recommendations of the disciplinary hearing panel and modify the recommendations as it pertains to the period of suspension; amending said suspension to a period of sixty days. The Chair ordered a roll call vote with the following results:

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

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

Mr. Allen and Mr. Wheeler were reseated. The roll of Board members was called with the result that Mr. Snyder, Ms. Barker, Ms. Fisher, Mr. Hoyt, Mr. Wheeler, Mr. Allen, and Mr. Caesar were present, constituting a quorum.

**VI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONSENT AGREEMENTS IN COMPLAINT NO. 05-019, IN THE MATTER OF DANIEL D. BUNN AND DONALD W. WILSON.** (Exhibit H)

Mr. Snyder recused himself from consideration of this matter.

A motion was made by Mr. Caesar and seconded by Mr. Hoyt to approve the Consent Order agreements in Complaint No. 05-019, in the Matter of Daniel D. Bunn and Donald W. Wilson. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Yes
	Ms. Fisher	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 CONSENT AGREEMENT IN COMPLAINT NO. 05-088, IN THE MATTER OF JULIAN L. HARRIS.**

The following Board members recused from this item of business: Mr. Snyder, Mr. Hoyt, Mr. Caesar, and Mr. Wheeler. The Director announced appointment of two Board members Pro-tempore' by the Office of the Governor, Ms. Jerry L. Jones and Ms. Margaret C. Leatherwood. (Exhibit I)

A Motion was made by Ms. Barker and seconded by Ms. Fisher to table the discussion regarding the consent order agreement in complaint number 05-088 to the October 2006 Meeting. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes
	Ms. Leatherwood (Pro Tem)	Yes
	Ms. Jones (Pro Tem)	Yes

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

**VIII. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF CO-CHAIRS FOR REAB STANDING COMMITTEES.**

A motion was made by Ms. Barker and seconded by Ms. Fisher that Mr. Caesar and Mr. Allen will replace Mr. Snyder and Mr. Burton as the Co-chairs on the Disciplinary Committee for the remainder of calendar year 2006. The Chair ordered a roll call vote with the following results:

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

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

A motion was made by Mr. Caesar and seconded by Ms. Barker that Mr. Allen would be appointed to assist the EET Co-chairs in the area of secondary work product reviews. The Chair ordered a roll call vote with the following results:

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

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

A motion was made by Mr. Caesar and seconded by Ms. Barker to retain for calendar year 2007 the same Co-chairs for the committees as presently in place. The Chair ordered a roll call vote with the following results:

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

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

**IX. DISCUSSION AND POSSIBLE ACTION REGARDING PARTICIPATION IN TAF VALUATION SYMPOSIUM OCTOBER 12, 2006; TAF SRAG AND IAC MEETING OCTOBER 13, 2006, AND AARO CONFERENCE OCTOBER 14-17, 2006 WASHINGTON D.C.**

A motion was made by Mr. Hoyt and seconded by Mr. Allen for approval for Jana Barker, Rod Stirman, and one other individual will attend the TAF Valuation Symposium October 12, 2006; TAF SRAG and IAC Meetings October 13, 2006, and AARO Conference October 14-17, 2006 in Washington D.C.

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

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

**X. DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORITY FOR BOARD COUNSEL TO HEAR PREHEARING MATTERS SPECIFIED IN OAC 600:15-1-6(g).** (Exhibit J)

A motion was made by Mr. Hoyt and seconded by Ms. Fisher that board attorney has authority to approve or disprove pre-hearing matters.

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

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

**XI. DISCUSSION AND POSSIBLE ACTION REGARDING REAB SUPPORT OF PARTICIPATION BY BOARD COUNSEL IN FARB ATTORNEY CERTIFICATION SEMINAR, OCTOBER 6-8, 2006.**

Board's counsel informed the Board that she has decided not to go to seminar, matter is moot.

**XIII. RECEIVE PUBLIC COMMENTS.** No public comments were provided.

**XIV. NEW BUSINESS.** There was none.

**XV. ADJOURNMENT.**

A motion for adjournment was made by Mr. Snyder and seconded by Ms. Fisher. The Board adjourned by general consent at 12:03 p.m.

**OFFICIAL MINUTES.**

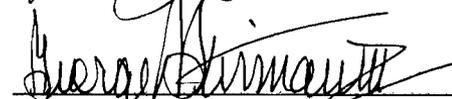
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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.



HAROLD J. SNYDER, VICE CHAIRPERSON  
OKLAHOMA REAL ESTATE APPRAISER BOARD



GEORGE R. STIRMAN III, DIRECTOR  
OKLAHOMA REAL ESTATE APPRAISER BOARD