



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

October 6, 2006  
Date

173  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regular meeting October 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 September 26, 2006, at 11:00 a.m. and was mailed to the offices of the Board members and posted to the REAB website on September 26, 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;  
Kim N. Allen; and  
Lee R. Caesar, Jr.

Board member excused was: P. Lane Wheeler.

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; Tiffany Davis, Board Secretary; and Margaret C. Leatherwood, Board Member Pro-Tempore'. Others present were: Donna Hope, Myloe Wilson, Annemieke Roell, Greg Goodpasture, Tracy Scott Vibbert, and Mack Barnes.

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 Ms. Fisher. The Chair ordered a roll call vote with the following results:

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

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

III. **CHAIRPERSON'S REPORT.** Commissioner Holland offered no report.

**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. Allen to issue an order to suspend individuals listed in agenda item III, Director's Report A for non-payment of annual fees due by July 31, 2006. (Exhibit B) The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS SIX 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 C) A motion was made by Mr. Caesar and seconded by Ms. Fisher 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. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes

THE RESULT WAS SIX 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 D) A Motion was made by Mr. Caesar and seconded by Ms. Barker to approve educational submissions as presented in agenda item number IV B 1 items 1 a through 2 v. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS SIX 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 E) 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. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes

THE RESULT WAS SIX 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:

Ms. Barker	Yes
Mr. Hoyt	Yes
Mr. Allen	Yes
Mr. Caesar	Yes
Ms. Fisher	Yes
Mr. Snyder	Yes

THE RESULT WAS SIX 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 (c). The Chair ordered a roll call vote with the following results:

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

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

**1. Discussion and possible action regarding approval of course submittals.** (Exhibit D) A Motion was made by Mr. Hoyt and seconded by Ms. Barker to approve educational submissions as presented in agenda item number IV B 1 item 3. The Chair ordered a roll call vote with the following results:

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

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

**3. Discussion and possible action regarding disapproval of experience documentation of applicants.**

See Exhibit F (A). Ms. Barker made a motion that the upgrade application of Todd A. Paden be disapproved as recommended. The motion was seconded by Mr. Hoyt. The chair ordered a roll call vote with the following results:

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

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

See Exhibit F (B). Mr. Hoyt made a motion that the upgrade application of Vicki L. Flowers 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:	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes

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

See Exhibit F (C). Ms. Barker made a motion that the upgrade application of Carl W. Wiens be disapproved as recommended. The motion was seconded by Mr. Hoyt. The chair ordered a roll call vote with the following results:

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

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

See Exhibit F (D). Ms. Barker made a motion that the upgrade application of Larry D. Waits be disapproved as recommended. The motion was seconded by Mr. Hoyt. The chair ordered a roll call vote with the following results:

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

THE RESULT WAS SIX 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.** There was a meeting Friday, September 29, 2006. In attendance were: Mr. Bardsley, Mr. Hinkle, Mr. McCaleb and the Director. Their report is Exhibit G.

Mr. Hoyt moved that the Probable Cause Committee recommendation with respect to Complaint # 06-012 be accepted, the matter not be adopted by the Board as a formal complaint, and the file 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. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Recused
	Ms. Fisher	Yes
	Mr. Snyder	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 # 06-107 be accepted, the matter not be adopted by the Board as a formal complaint, and the file 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. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Recused
	Ms. Fisher	Yes
	Mr. Snyder	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 # 06-108 be accepted, the matter not be adopted by the Board as a formal complaint, and the file 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. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes

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

Ms. Fisher moved that the Probable Cause Committee recommendation with respect to Complaint # 06-109 be accepted, the respondent issued an educative letter, the matter not be adopted by the Board as a formal complaint, and the file closed. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Ms. Fisher moved that the Probable Cause Committee recommendation with respect to Complaint # 06-119 be accepted and the matter be tabled pending the outcome of the Board's action on October 6. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Ms. Fisher moved that the Probable Cause Committee recommendation with respect to Control # 06-123 be accepted 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. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Caesar	Recused
	Ms. Fisher	Yes
	Mr. Snyder	Yes

THE RESULT WAS FIVE 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 Probable Cause Committee.** A Motion was made by Mr. Caesar and seconded by Ms. Barker regarding re-appointment of Terry Hinkle as a committee member. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS SIX 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. 05-062, IN THE MATTER OF DEVIN R. GORDON, TO INCLUDE HEARING OF ORAL ARGUMENT UNDER THE PROVISIONS OF OAC 600:15-1-17. (Exhibit H)**

A Motion was made by Ms. Barker and seconded by Ms. Fisher 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. Allen	Yes
	Mr. Caesar	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes

THE RESULT WAS SIX 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, Mr. Allen, and Mr. Caesar were present and constituted a quorum.

A Motion was made by Ms. Barker and seconded by Mr. Caesar for the Board to accept the recommendation of the disciplinary hearing panel on Complaint No. 05-062 and revoke the license of Devin R. Gordon. The Chair ordered a roll call vote with the following results:

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

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

Commissioner Holland was excused from the remainder of the meeting.

**VI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONSENT AGREEMENTS IN COMPLAINT NO. 05-089, IN THE MATTER OF ROGER L. SMITH AND GORDON A. COOK. (Exhibit I)**

Matter postponed until further notice.

**VII. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONSENT AGREEMENTS IN COMPLAINT NO. 05-089, IN THE MATTER OF ROGER L. SMITH AND KARI B. SLOAN. (Exhibit J)**

Mr. Hoyt and Mr. Caesar recused themselves from consideration of this matter. The Director announced appointment of one Board member Pro-tempore' by the Office of the Governor, Ms. Margaret C. Leatherwood. (Exhibit K)

A motion was made by Ms. Barker and seconded by Ms. Fisher to approve the Consent Order agreements in Complaint No. 05-089, in the Matter of Roger L. Smith and Kari B. Sloan. The matter was tabled by order of the chair.

A Motion was made by Ms. Barker and seconded by Ms. Fisher 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. Allen	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes

Ms. Leatherwood 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. Allen, and Ms. Leatherwood were present and constituted a quorum.

The matter was reopened to approve the Consent Order agreements in Complaint No. 05-089, in the Matter of Roger L. Smith and Kari B. Sloan. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Allen	Yes
	Ms. Leatherwood	Yes
	Ms. Fisher	No
	Mr. Snyder	Yes

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

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

**VIII. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONSENT AGREEMENTS IN COMPLAINT NO. 05-088, IN THE MATTER OF JULIAN L. HARRIS.**  
(Exhibit L)

Matter postponed until further notice.

**IX. New Business.** There was none.

**XV. ADJOURNMENT.**

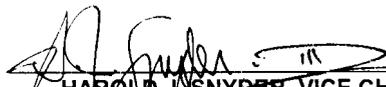
A motion for adjournment was made by Ms. Barker and seconded by Mr. Caesar. The Board adjourned by general consent.

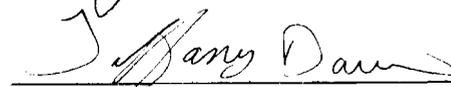
**OFFICIAL MINUTES.**

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 L.

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

  
TIFFANY A. DAVIS, BOARD SECRETARY  
OKLAHOMA REAL ESTATE APPRAISER BOARD