



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

March 2, 2007
Date

176
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a special meeting March 2, 2007 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 February 20, 2007, and was mailed to the offices of the Board members and posted to the REAB website on February 20, 2007. The agenda is attached as Exhibit A.

I. **CALL TO ORDER.** Lee R. Caesar, Jr. 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: Jana S. Barker;
Patti L. Fisher;
James W. Hoyt;
Lane Wheeler;
Kim N. Allen; and
Lee R. Caesar, Jr.

Board members excused were: Kim Holland, Chairperson
Joey Snyder, Vice-Chairperson

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

Others in attendance were: Rod Stirman, Director; John Mahoney, attorney for Commissioner Kim Holland; Joann Stevenson, Board Counsel; Tiffany Davis, Board Secretary; and Janice Owens, REAB Legal Secretary. Others present were: Jim Burton, Brett Robinson, Carolyn Jarvis, Susan Walker, Kim Blevins, Desiree Johnson, and Rick Carlile.

A motion was made by Ms. Fisher and seconded by Mr. Hoyt that Lee Caesar Jr. act as the chairperson for this meeting.

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.

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 except to correct a typo from Ms. Wheeler to Mr. Wheeler and to remove Joann Stevenson from the list of those in attendance. The motion was seconded by Mr. Wheeler. 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.

III. **CHAIRPERSON'S REPORT.** The Chairperson 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 Ms. Fisher 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 December 31, 2006 excepting Michael Shrewsbury. (Exhibit 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

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 Ms. Fisher 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. 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.

IV. **COMMITTEE REPORTS:**

A. Standards and Disciplinary Procedures Committee. No Report.

B. Education, Experience and Testing Committee:

1. Discussion and possible action regarding approval of course submittals. (Exhibit D) A motion was made by Mr. Hoyt and seconded by Mr. Wheeler to approve the courses as presented in Agenda item IV B (1). The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND ONE ABSTAINING.
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 Mr. Hoyt and seconded by Mr. Allen to allow staff to be given authority to issue trainee certificates to Deborah D. Biffle, Jason W. A. Carris, Nicholas R. Sellers, and Cheri L. Velasco as stated 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

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 Mr. Wheeler to allow staff to be given authority to issue original certificates by reciprocity to Charles D. Brown and James L. Hendricks, Jr. who have made application from states with whom a reciprocity agreement is in place 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

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 Mr. Wheeler to allow staff to be given authority to issue upgrade certificates to David A. Bohl, Tiffeney A. Goodpasture, Jason L. Lillie, Brandon J. Witt, Lori A. Nidiffer, and Richard C. Strickland, contingent upon successful completion of the exam and payment of any required fees as stated in agenda item IV 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

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. (Exhibit F)

See Exhibit F (A). Mr. Caesar made a motion that the upgrade application of Steven Wainwright 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. 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.

See Exhibit F (B). Mr. Caesar made a motion that the upgrade application of Pat Roberts 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. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	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 Paul Bengels 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. 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.

See Exhibit F (D). Mr. Hoyt made a motion that the upgrade application of Tommy Harlow 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. 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.

C. Legislation and Rules Committee. Brett Robinson, the contract legislative liaison, made a short presentation.

D. Probable Cause Committee.

1. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. No action taken.

2. Discussion and possible action regarding standing operating procedures for the Probable Cause Committee. No action taken.

3. Discussion and possible action regarding appointment of volunteers and /or committee members to assist Probable Cause Committee. Ms. Fisher nominated Mr. Caesar to the PCC as the current Board member and Mr. Burton as the former Board member. 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
	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.

By order of the Chair, Agenda Items VII through VIII A were taken out of order and offered for consideration at this point in the session.

Mr. Caesar, Mr. Wheeler, and Mr. Hoyt recused themselves from consideration of this matter. The Director announced the appointment of two Board members Pro-Tempore' by the Office of the Governor, Mr. Jimmie Burton and Mr. Rick Carlile. (Exhibit G)

Ms. Fisher now presiding.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF DISCIPLINARY HEARING PANEL IN COMPLAINT #05-104, IN THE MATTER OF KIMBERLY A. BLEVINS AND DESIREE Y. JOHNSON.

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.

A Motion was made by Ms. Baker and seconded by Mr. Burton 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. Carlile	Yes
	Mr. Burton	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes

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

The Board entered Executive Session.

Ms. Barker made a motion the Board return from Executive Session. 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. Carlile	Yes
	Mr. Burton	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes

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

Ms. Barker made a motion that the Board adopt the findings of fact of the hearing panel, and modify the hearing panel conclusions of law to include 59 O.S. § 858 – 723A.5., and modify the hearing panel recommendation on the final order to revoke both Desiree Johnson and Kimberly Blevins without the right to reinstate. The motion was seconded by Mr. Carlile. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Carlile	Yes
	Mr. Burton	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes

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

Mr. Burton and Mr. Carlile were excused. Mr. Caesar and Mr. Hoyt were reseated.

Mr. Caesar now presiding.

VIII A. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED CONSENT ORDER IN COMPLAINTS #06-063, 06-064, 06-065, 06-066, 06-067, 06-068, 06-069, 06-070, 06-071, 06-072, 06-073, 06-074, 06-075, 06-076, 06-077, AND 06-078; IN THE MATTER OF W. ROB HARN AND D. GEOFFREY MONICAL, AS IT PERTAINS TO RESPONDENT D. GEOFFREY MONICAL INDIVIDUALLY.

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.

A motion was made by Mr. Caesar and seconded by Ms. Barker that the Board accept the consent order as presented. 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

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

Mr. Wheeler reseated. Ms. Fisher excused at 10:55 AM for remainder of meeting.

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

V. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF BUDGET COMMITTEE FOR PREPERATION OF FY2008 OKLAHOMA CERTIFIED REAL ESTATE APPRAISERS REVOLVING FUND. Mr. Caesar made a motion to appoint Mr. Hoyt and Mr. Snyder to the budget committee for FY 2008 preparation. Ms. Barker seconded the motion. 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

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

VI. DISCUSSION AND POSSIBLE ACTION REGARDING OKLAHOMA REAL ESTATE APPRAISER BOARD REPRESENTATION AT AQB MEETING AND AARO CONFERENCE MAY 4-7, 2007 AND RESCHEDULING OF MAY 4, 2007 REGULAR SESSION.

A Motion was made by Mr. Caesar and seconded by Mr. Hoyt that the Board approve 3 people, one being Mr. Stirman, to attend the AARO Conference. 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

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

A Motion was made by Ms. Barker and seconded by Mr. Hoyt that the Board reschedule the May 4, 2007 regular session to May 11, 2007. 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

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

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING DISCIPLINARY SANCTIONS PLACED AGAINST INDIVIDUALS IN VIOLATION OF USPAP UPDATE COURSE REQUIREMENT OF DECEMBER 31, 2006, TO INCLUDE ARGUMENTS OF ANY INDIVIDUALS SO REQUESTING.

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.

A Motion was made by Mr. Hoyt and seconded by Ms. Barker that the Board approve suspension as presented in VIII D in relation to those who did not take the USPAP course and pay the fine. (Exhibit H) 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

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

Ms. Barker made a motion that the Board approve the order of those paying the \$150 fine and taking the USPAP course in 2007 as presented in VIII E. The motion was seconded by Mr. Allen. (Exhibit I) 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

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

IX. **NEW BUSINESS.** No new business.

X. **ADJOURNMENT.**

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

OFFICIAL MINUTES.

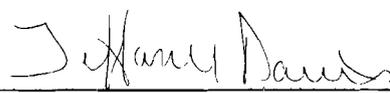
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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 I.



LEE R. CAESAR, JR., ACTING VICE-CHAIR
OKLAHOMA REAL ESTATE APPRAISER BOARD



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