



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

August 3, 2007  
Date

181  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting August 3, 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 July 24, 2007, and was mailed to the offices of the Board members and posted to the REAB website on July 24, 2007. The agenda is attached as Exhibit A.

I. **CALL TO ORDER.** The Vice-Chair called the meeting to order at 9:32 a.m. The roll of Board members was called to establish a quorum.

Board members present were: Kim Holland, Chairperson  
Lee R. Caesar, Jr., Vice-Chairperson  
Patti L. Fisher,  
James W. Hoyt;  
Lane Wheeler;  
Kim N. Allen; and  
Jana S. Barker

Board member excused was: Joey Snyder

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

Others in attendance were: Rod Stirman, Director; Karl Kramer, attorney for Commissioner Kim Holland; Joann Stevenson, Board Counsel; and Tiffany Davis, Board Secretary. Others present were: Vicki Ledbetter, ASC Policy Manager; Kristi Klamet, ASC Policy Manager; Daniel Ambler, Brett Robinson, Christine McEntire, Board Legal Secretary; Steve McCaleb, Board Prosecutor; and Sue Wycoff, Board Prosecutor.

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. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes
	Mr. Caesar	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 Ms. Barker to issue an order to suspend individuals listed in agenda item III, Director's Report A for non-payment of annual fees due by May 31, 2007. (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
	Ms. Fisher	Yes
	Mr. Caesar	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
	Ms. Fisher	Yes
	Mr. Caesar	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 Ms. Barker 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	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Ms. Fisher	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 approval or disapproval of various applications received and authority to issue certificates.** (Exhibit E)

A Motion was made by Mr. Hoyt and seconded by Ms. Barker to allow staff to be given authority to issue trainee certificates to the individuals 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
	Ms. Fisher	Yes
	Mr. Caesar	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 deny the application of Mr. Mark D. Cain for the reasons 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
	Ms. Fisher	Yes
	Mr. Caesar	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 Tara J. Bodecker and Patrick L. Callison who have made application from states with whom a reciprocity agreement is in place 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
	Ms. Fisher	Yes
	Mr. Caesar	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 an upgrade certificate to the individual listed in Agenda Item IV B 2 (D) who has been found fully qualified including the examination. 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. Caesar	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)**

Ms. Fisher made a motion that the upgrade application of John Brooks 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
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

**C. Legislation and Rules Committee.** No Report.

**D. Probable Cause Committee.**

**1. Discussion and possible action regarding appointment of volunteers and /or committee members to assist Probable Cause Committee.** No Action Taken.

**2. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations.** There was a meeting July 23, 2007. In attendance were: Mr. Caesar, Mr. Hinkle, Mr. Carlile, Mr. Burton, Ms. McEntire and Mr. Stirman. Their report is Exhibit G.

Mr. Hoyt moved that the Probable Cause Committee recommendation with respect to Grievance # 05-091 be accepted and the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Ms. Fisher 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Ms. Fisher moved that the Probable Cause Committee recommendation with respect to Grievance # 05-132 be accepted, the matter not be adopted as a formal complaint, and the file closed without further action. 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Ms. Fisher moved that the Probable Cause Committee recommendation with respect to Complaint # 06-004 be accepted, the complaint be annotated on the appraiser's file, and the file closed pending any future developments. Mr. Wheeler 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Ms. Barker moved that the Probable Cause Committee recommendation with respect to Grievance # 06-028 be accepted and the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Mr. Allen 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Mr. Wheeler moved that the Probable Cause Committee recommendation with respect to Grievance # 06-102 be accepted, the matter not be adopted as a formal complaint, and the file closed without further action. 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Ms. Barker moved that the Probable Cause Committee recommendation with respect to Grievance # 06-128 be accepted and the matter be adopted as a formal complaint against both individuals and forwarded to a prosecutor for action. Mr. Allen 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Mr. Wheeler moved that the Probable Cause Committee recommendation with respect to Complaint # 06-142 be accepted and the Board's previous action adopting this matter as a formal complaint be rescinded, that the appraiser's record be noted, and that if subsequent events warrant, the action be reinstated. 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Ms. Barker moved that the Probable Cause Committee recommendation with respect to Grievance # 07-027 be accepted and the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Ms. Fisher 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Ms. Fisher moved that the Probable Cause Committee recommendation with respect to Grievance # 07-031 be accepted, the matter not be adopted as a formal complaint, and the file in the matter be closed. Mr. Hoyt 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Mr. Hoyt moved that the Probable Cause Committee recommendation with respect to Grievance # 07-039 be accepted, the matter not be adopted as a formal complaint, and the file in the matter be closed. Ms. Fisher 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

Ms. Fisher moved that the Probable Cause Committee recommendation with respect to Grievance # 07-049 be accepted, the matter not be adopted as a formal complaint, and the file in the matter be closed. 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
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

**3. Discussion and possible action regarding standing operating procedures for the Probable Cause Committee.** (Exhibit H) Ms. Fisher moved that the Interim Board Policy be adopted as presented pending an emergency rule change. 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
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Ms. Fisher moved that Jana Barker be appointed to the Probable Cause Committee as the current Board member. The motion was seconded by Mr. Allen. 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. Caesar	Yes

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

Mr. Allen moved that Mr. Carlile be appointed as the alternate member of the Probable Cause Committee. 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. Caesar	Yes

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

**V. REPORT OF FIELD VISIT BY KRISTI KLAMET AND VICKI LEDBETTER, APPRAISAL POLICY MANAGERS, APPRAISAL SUBCOMMITTEE.** No Action Taken.

**VI. DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHMENT OF BOARD POLICIES WITH RESPECT TO THE PROBABLE CAUSE COMMITTEE. No Action Taken.**

The Chair called for a short recess.

Upon return, the Chair called for a roll of Board members to establish a quorum.

Board members present were:        Lee R. Caesar, Jr., Vice-Chairperson  
   Patti L. Fisher;  
   James W. Hoyt;  
   Lane Wheeler;  
   Kim N. Allen; and  
   Jana S. Barker

A quorum was declared present by the Chair.

**VII. DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF EMERGENCY RULE AMENDMENTS IN CHAPTER 15, TITLE 600, OKLAHOMA ADMINISTRATIVE CODE, RELATING TO RESTRICTIONS IMPOSED BY CASE LAW IN JOHNSON V. BOARD OF DENTISTS. (Exhibit I)**

Mr. Hoyt made a motion the Board adopt the Emergency Rule changes required by compelling public interest. 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. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

**VIII. NEW BUSINESS. Ms. Fisher made a motion to disapprove two previously approved course submissions from the Greater Tulsa Association of Realtors entitled "Ethics" and "Selling HUD Homes." 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. Caesar	Yes

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

**IX. ADJOURNMENT.**

A motion for adjournment was made by Mr. Hoyt and seconded by Ms. Fisher. 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. Caesar	Yes

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

**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.

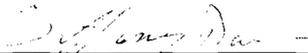
The Board caused the entire proceeding of the meeting, excepting any executive sessions, to be recorded on an audio recording device with audiotape to be retained as a record in the office of the Board.

Exhibits are A through I.



---

**LEE R. CEASAR JR., VICE-CHAIRPERSON**  
OKLAHOMA REAL ESTATE APPRAISER BOARD



---

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