



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

September 7, 2007
Date

182
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting September 7, 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 August 28, 2007, and was mailed to the offices of the Board members and posted to the REAB website on August 28, 2007. The agenda is attached as Exhibit A.

I. CALL TO ORDER. Joey Snyder called the meeting to order at 9:35 a.m. The roll of Board members was called to establish a quorum.

Board members present were: Patti L. Fisher;
James W. Hoyt;
Lane Wheeler;
Kim N. Allen;
Jana S. Barker; and
Joey Snyder

Board members excused were: Kim Holland, Chairperson
Lee R. Caesar, Jr., Vice-Chairperson

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

Others in attendance were: Rod Stimman, Director; Sandra LaVenu, attorney for Commissioner Kim Holland; Pat Padolec, Acting Board Counsel; Tiffany Davis, Board Secretary, and Christine McEntire, Board Legal Secretary. Others present were: Krista Dickson, Don Riley, Hal Hartsock, Brian Peterson, David Clark, Annemieke Roell, Greg Goodpasture, Molly Leatherwood, Brett Robinson, and Steve McCaleb, Board Prosecutor.

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

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Snyder	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. Ms. Fisher 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. 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. Snyder	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 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 June 30, 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
	Mr. Snyder	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 Mr. Hoyt 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. Snyder	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 Ms. Fisher and seconded by Mr. Hoyt to approve the courses as presented in Agenda item IV B (1) changing 8.A. to include approved for 7 hours and 8.B. to Disapproval. 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. Snyder	Yes
	Ms. Fisher	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. Fisher and seconded by Mr. Hoyt 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
	Mr. Snyder	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 Ms. Fisher and seconded by Ms. Barker allow staff to be given authority to issue original certificates by transfer to the individuals listed in agenda item IV B 2 (B) from jurisdictions with substantially equivalent qualification requirements as Oklahoma 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. Snyder	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 Ms. Fisher and seconded by Ms. Barker to allow staff to be given authority to issue original certificates by reciprocity to the individuals listed in agenda item IV B 2 (C) who have made application from states with whom reciprocity agreements are 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
	Mr. Snyder	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 Ms. Fisher and seconded by Mr. Hoyt 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 as stated in agenda item IV B 2 (D). 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. Snyder	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 Ms. Fisher and seconded by Mr. Hoyt to allow staff to be given authority to issue upgrade certificates to those individuals listed in agenda item IV B 2 (E) contingent upon successful completion of the exam and payment of any required fees as stated in agenda item IV 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. Snyder	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)

Ms. Barker made a motion that the upgrade application of Jason Bridges 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. Snyder	Yes
	Ms. Fisher	Yes

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

Ms. Fisher made a motion that the upgrade application of Maurice Ward be disapproved as recommended. 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
	Mr. Snyder	Yes
	Ms. Fisher	Yes

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

Mr. Hoyt made a motion that the upgrade application of Kevin Warren 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. Snyder	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. No Report.

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.

Mr. Hoyt made a motion that Mark Bardsley be appointed to the Probable Cause Committee as the former Board member. 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
	Mr. Snyder	Yes
	Ms. Fisher	Yes

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

V. **DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF DISCIPLINARY HEARING PANEL IN COMPLAINT #06-123, IN THE MATTER OF DAVID S. CLARK, TO INCLUDE HEARING OF ORAL ARGUMENT.**

Mr. Wheeler and Mr. Hoyt recused themselves from consideration of agenda items V and VI.

The Director announced the appointment of one Board member Pro-Tempore' by the Office of the Governor, Ms. Margaret C. Leatherwood. (Exhibit G)

The Chair ordered a roll call vote to establish a quorum.

Board members present were:	Patti L. Fisher, Margaret Leatherwood; Kim N. Allen; Jana S. Barker; and Joey Snyder
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Based on the result of the roll call, a quorum was declared present by the chair.

A Motion was made by Ms. Barker and seconded by Ms. Fisher for the Board to enter into executive session. The Chair ordered a roll call vote with the following results:

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

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

Ms. Fisher made a motion the Board return from Executive Session. 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. Allen	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Leatherwood	Yes

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

Ms. Barker made a motion the board accept the disciplinary hearing panel recommendation as presented. The motion was seconded by Ms. Leatherwood. The chair ordered a roll call vote with the following results:

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

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

VI. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF DISCIPLINARY HEARING PANEL IN COMPLAINT #05-118, IN THE MATTER OF KEVIN F. BRODERICK AND JAMES T. SHEPARD, TO INCLUDE HEARING OF ORAL ARGUMENT.

Mr. Allen made a motion the board accept the disciplinary hearing panel recommendation as presented. 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. Allen	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Leatherwood	Yes

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

Mr. Hoyt and Mr. Wheeler were reseated. Ms. Leatherwood was excused.

The Chair ordered a roll call vote to establish a quorum.

Board members present were:	Lane Wheeler;
	James Hoyt;
	Patti L. Fisher;
	Kim N. Allen;
	Jana S. Barker; and
	Joey Snyder

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

VII. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD POLICIES AFFECTED BY REVISED ASC POLICY STATEMENT 10. (EXHIBIT H)

Ms. Barker made a motion the Board allow the executive director to include in the application instructions starting 1/1/08 that our reviewers will ask for two or more reports from the log. 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
	Mr. Snyder	Yes
	Ms. Fisher	Yes

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

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST BY RICHARD L. HEELAN, 10709CRA, TO SUPERVISE A TRAINEE AS REQUIRED BY OAC: 10-1-16(G).

Ms. Fisher made a motion the Board approve Mr. Richard Heelan to supervise. 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. Snyder	Yes
	Ms. Fisher	Yes

THE RESULT WAS SIX 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. Fisher and 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. Snyder	Yes
	Ms. Fisher	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 H.



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



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