



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

July 11, 2008
Date

192
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting July 11, 2008 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 at the main entrance of the Oklahoma Insurance Department with a copy at Entrance A to Shepard Mall, at 2401 Northwest 23rd Street, Suite 28, Oklahoma City, Oklahoma on July 1, 2008 at 1:00 p.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on July 1, 2008. The agenda is attached as Exhibit A.

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

Board members excused were: Kim Holland, Chairperson
Joey H. Snyder III, Board Member

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

Others in attendance were: Rod Stirman, Director; Sandra LaVenue, attorney for Commissioner Kim Holland; Preston Draper, Assistant Attorney General; Shannon Phipps, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Lou Newman; Brett Robinson, Legislative Liaison; Sue Wycoff, Board Prosecutor and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Hoyt moved that the reading of the minutes of the June 6, 2008 session be waived and approved as published and distributed. 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.

- 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 due April 30, 2008.** (Exhibit C) 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. 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 due August 31, 2008 and authority to issue certificates. (Exhibit D) A motion was made by Ms. Fisher and seconded by Ms. Barker to approve board staff to issue renewal certificates to the individuals listed in agenda item III, Director's Report 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.

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 E) A motion was made by Ms. Barker and seconded by Mr. Allen 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 F)

2(A) 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.

2(B) A motion was made by Mr. Hoyt and seconded by Ms. Barker to allow staff to be given authority to issue Reciprocal licenses to the individuals listed 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.

2(C) A motion was made by Ms. Barker 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 3 (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.

3. Discussion and possible action regarding approval or disapproval of experience documentation of applicant. (Exhibit G)

Mr. Caesar recused himself from consideration of Agenda Item IV B (3) due to personal knowledge.

A motion was made by Mr. Hoyt and seconded by Mr. Allen to disapprove experience documentation of applicant listed in agenda item IV B (3). 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.

C. Legislation and Rules Committee. Legislative Liaison Brett Robinson reported.

D. Probable Cause Committee.

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

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

3. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. (Exhibit H)

Mr. Wheeler recused himself from consideration of Agenda Item IV D (4) due to Probable Cause Committee service.

Following a discussion of the issues pertaining to 08-018, a motion was made by Mr. Allen and seconded by Ms. Fisher that the case be closed without further action. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Ms. Barker	Yes
Mr. Wheeler	Recused
Mr. Hoyt	Yes
Mr. Allen	Yes
Ms. Fisher	Yes
Mr. Caesar	Yes

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

Following a short discussion, a motion was made by Mr. Allen and seconded by Ms. Fisher that Grievance #08-020 be closed without further action. The Chair ordered a roll call vote with the following results:

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

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 #08-024 be accepted and a letter of warning be issued. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Following a discussion concerning Grievance #08-027, a motion was made by Mr. Hoyt and seconded by Ms. Barker to amend the Hearing Panel's Disciplinary Recommendations; to issue a letter of warning, including recommendations to take qualifying courses 634 and 635. The Chair ordered a roll call vote with the following results:

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

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

Mr. Hoyt moved that Grievance #08-028 be closed without further action. Mr. Caesar seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Following a discussion of the issues pertaining to 08-034, a motion was made by Mr. Allen and seconded by Ms. Barker that the case be closed without further action. The Chair ordered a roll call vote with the following results:

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

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

Following a short discussion, a motion was made by Mr. Hoyt and seconded by Ms. Barker that Grievance #08-035 be closed without further action. The Chair ordered a roll call vote with the following results:

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

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

Mr. Hoyt moved that Grievance #08-036 be 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	Recused
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following a discussion of the issues pertaining to 04-082 and 04-083, a motion was made by Ms. Barker and seconded by Ms. Fisher that the case be closed without further action. The Chair ordered a roll call vote with the following results:

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

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

Following a short discussion, a motion was made by Mr. Hoyt and seconded by Ms. Barker that Grievance #06-101 be closed without further action. The Chair ordered a roll call vote with the following results:

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

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

Mr. Allen moved that Grievance #06-104 be closed and that files be notated of grievance and taken into consideration in the event that the individuals involved should ever reapply for appraiser credentials in the state of Oklahoma. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Mr. Hoyt moved that Grievances #06-053 and 06-087 be 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	Recused
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

4. Discussion and possible action regarding filing for injunctive relief in district court and a criminal complaint with a district attorney relating to Grievance 08-022. (Exhibit I) Mr. Hoyt made a motion to file for injunctive relief concurrently with federal and state government. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

At this time the Board took a five (5) minute recess.

The Chair declared the Board to be back in open session. The Chair ordered a roll call to establish a quorum.

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

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

V. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A CONSENT ORDER IN THE MATTER OF GORDON A. COOK AND KARI B. SLOAN, WITH RESPECT TO RESPONDENT KARI B. SLOAN ONLY, COMPLAINT NO. 07-003 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.

Mr. Caesar recused himself from consideration of Agenda Item V due to Probable Cause Committee service.

(Exhibit J) A motion was made by Mr. Allen and seconded by Ms. Barker to approve the Consent Order. 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.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF GORDON A. COOK AND KARI B. SLOAN, WITH RESPECT TO RESPONDENT GORDON A. COOK ONLY, COMPLAINT NO. 07-003 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.

Mr. Caesar recused himself from consideration of Agenda Item VI due to Probable Cause Committee service.

(Exhibit K) Following a discussion of the issues pertaining to 07-003, a motion was made by Mr. Wheeler and seconded by Ms. Barker to adopt Hearing Panel Recommendations. 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.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING ATTENDANCE AT AARO CONFERENCE, SRAG MEETING, AND AQB PUBLIC MEETING, WASHINGTON DC DURING THE PERIOD OCTOBER 3-7, 2008.

A motion was made by Mr. Hoyt and seconded by Mr. Wheeler to allow six (6) individuals to attend the 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
	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. No new business.

IX. ADJOURNMENT.

The Board adjourned by general consent.

OFFICIAL MINUTES.

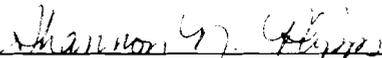
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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

Exhibits are A through K.



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



SHANNON N. PHIPPS, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD