



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

September 5, 2008
Date

194
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 5, 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 August 26, 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 August 26, 2008. The agenda is attached as Exhibit A.

At this point the Board discussed the appointment of a Board member to serve as acting Chair in the absence of the Chairperson and Vice-Chairperson.

Mr. Hoyt moved that Board member Kim N. Allen serve as acting Chair. The motion was seconded by Ms. Fisher. A roll call vote was taken 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.

- I. **CALL TO ORDER.** Board Member Kim N. Allen 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: Patti L. Fisher;
James W. Hoyt;
P. Lane Wheeler;
Kim N. Allen;
Jana S. Barker; and
Joey H. Snyder III;

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 Stirman, Director; Julie Delluomo, Assistant General Counsel; Preston Draper, Assistant Attorney General; Shannon Phipps, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Bryan Smith and Jared Sahlsteen.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Hoyt moved that the reading of the minutes of the August 1, 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 |
| | 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 due June 30, 2008. (Exhibit C) A motion was made by Ms. Fisher and seconded by Mr. Wheeler 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 |
| | 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 due October 31, 2008 and authority to issue certificates. (Exhibit D) A motion was made by Ms. Barker 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 |
| | 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 E)

A motion was made by Mr. Hoyt and seconded by Mr. Snyder to table courses 5(a), 5(b), 11(a) and 11(b) until the October 10, 2008 Board Meeting in order for further review of the course materials to be conducted by Ms. Fisher and 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.

A motion was made by Mr. Hoyt and seconded by Ms. Barker to approve courses 1(a-b), 2, 3, 4(a-b), 6(a-d), 7(a-f), 8(a-j), 9 and 10 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 |
| | 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 F)

2(A) A motion was made by Mr Wheeler 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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

2(B) A motion was made by Ms. Barker and seconded by Mr. Snyder 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | 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. Snyder to allow staff to be given authority to issue an upgrade certificate to the individual listed in agenda item IV B 2 (C) contingent upon receipt of proof of acceptable examination results and payment of required 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.

2(D) A motion was made by Ms. Barker and seconded by Mr. Snyder to approve transfer of licensure of the individual listed 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.

2(E) A motion was made by Ms. Barker and seconded by Mr. Snyder to approve reinstatement of the individual listed 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 approval or disapproval of experience documentation of applicant. (Exhibit G)

3(1) A motion was made by Ms. Barker and seconded by Mr. Snyder to disapprove experience documentation of applicant listed in agenda item IV (B) 3 (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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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

3(2) A motion was made by Ms. Barker and seconded by Mr. Snyder to disapprove experience documentation of applicant listed in agenda item IV (B) 3 (2). 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 action.

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) due to Probable Cause Committee service.

Following a discussion of the issues pertaining to 07-022, a motion was made by Ms. Fisher 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | 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 Ms. Fisher and seconded by Mr. Hoyt that Grievance #08-005 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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 #08-006 be accepted; that the matter be adopted as a formal complaint and forwarded 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. Wheeler | Recused |
| | Mr. Hoyt | Yes |
| | Mr. Allen | Yes |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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

Following a discussion concerning Grievance #08-026, a motion was made by Ms. Fisher and seconded by Ms. Barker to adopt the Hearing Panel's Recommendation; that the matter be adopted as a formal complaint and forwarded to a prosecutor for 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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

Ms. Fisher moved that Grievance #08-032 not be adopted as a complaint and that the case 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 | Recused |
| | Mr. Hoyt | Yes |
| | Mr. Allen | Yes |
| | Mr. Snyder | Yes |
| | Ms. Fisher | 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 08-043, a motion was made by Ms. Fisher and seconded by Ms. Barker that a letter of warning be issued and the matter closed. 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | 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 Ms. Fisher and seconded by Ms. Barker that Grievance #08-044 should not be adopted as a formal complaint and that the file 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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

Ms. Fisher moved that Control #08-045 be closed. Mr. Snyder 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | 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 Control #08-046, a motion was made by Ms. Fisher and seconded by Mr. Snyder that the matter be adopted as a formal complaint and forwarded to a prosecutor for 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 |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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

Ms. Fisher moved that Grievance #08-047 be adopted as a formal complaint and forwarded 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. Wheeler | Recused |
| | Mr. Hoyt | Yes |
| | Mr. Allen | Yes |
| | Mr. Snyder | Yes |
| | Ms. Fisher | Yes |

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

V. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST BY STEFAN M. BARNHOUSE FOR AN EXTENSION OF THE DEADLINE FOR SUBMISSION OF CERTIFICATES OF COURSE COMPLETION FOR CORRECTIVE EDUCATION

COURSES MANDATED BY ORDER #08-010.

A motion was made by Ms. Fisher and seconded by Mr. Snyder to approve the deadline extension. 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.

VI. **NEW BUSINESS.** No new business.

VII. **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 H.



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



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