



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

January 9, 2009
Date

198
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting January 9, 2009 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 December 30, 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 December 30, 2008. The agenda is attached as Exhibit A.

- I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar Jr. called the meeting to order at 9:33 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;
Kim N. Allen;
Jana S. Barker; and
Harold J. Snyder III;

Board members excused were: P. Lane Wheeler; 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; Bryan Neal, Assistant Attorney General; Shannon Phipps, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Senator Cliff Aldridge; Myloee Wilson; Beverly Bowen; Daniel Gamino; Roy B. Black; Donna Burn; Dennis Hudack; Peggy Thompson; John Alberts; Janet Braswell; Keith Cheatham; Joe Garnand; Hal Hartsock; Charles Barnes; Mac Barnes; Julian Harris; Chris Turner; Brenda Hays; and Sue Wycoff, Board Prosecutor.

Board member Lane Wheeler entered the room and was declared present.

At this point, Item XIII was taken out of order, by order of the Chair.

- XIII. **NEW BUSINESS.** Senator Aldridge addressed the Board concerning current educational disciplinary practices and the role of local and national course providers therein.

At this point, the Session returned to regular order.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Hoyt moved that the reading of the minutes of the December 5, 2008 session be waived and approved as published and 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
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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 October 31, 2008. (Exhibit C) 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. 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
	Mr. Caesar	Yes

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

B. Discussion and possible action regarding approval of renewal applications due February 28, 2009 and authority to issue certificates. (Exhibit D) A motion was made by Ms. Fisher and seconded by Mr. Allen 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
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
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;
Patti L. Fisher;
James W. Hoyt;
P. Lane Wheeler;
Kim N. Allen;
Jana S. Barker; and
Harold J. Snyder III;

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

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 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
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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 Mr. Snyder 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
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

2(C) A motion was made by Mr. Hoyt and seconded by Ms. Barker to approve reinstatement of licensure of the individuals listed 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
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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 applicants. (Exhibit G)

3(1) A motion was made by Mr. Hoyt and seconded by Ms. Barker 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
	Mr. Caesar	Yes

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

3(2) A motion was made by Mr. Hoyt 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
	Mr. Caesar	Yes

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

C. Legislation and Rules Committee. No action.

At this point, Item VI was taken out of order, by order of the Chair.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING NOTICE TO APPEAR AND ORDER TO SHOW CAUSE IN THE MATTER OF PEGGY S. THOMPSON, COMPLAINT #05-049 AND ASSOCIATED ORDER #06-002, TO INCLUDE HEARING OF ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit H)

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

Ms. Barker made a motion for the Board to enter executive session. 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	Recused
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

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;
Patti L. Fisher;
James W. Hoyt;
P. Lane Wheeler;
Kim N. Allen; and
Harold J. Snyder III;

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

Ms. Fisher made a motion to seek no discipline. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

VII. DISCUSSION AND POSSIBLE ACTION REGARDING NOTICE TO APPEAR AND ORDER TO SHOW CAUSE IN THE MATTER OF PEGGY S. THOMPSON, COMPLAINT #07-066 AND ASSOCIATED ORDER #08-031 TO INCLUDE HEARING OF ANY ASSOCIATED MOTIONS OR MATTERS.

Ms. Barker recused herself from consideration of Agenda Item VII due to Probable Cause Committee service.

Ms. Fisher made a motion that Respondent be given until January 16, 2009 to pay a fine of one thousand (1,000) dollars and remit her license and pocket card and that revocation be incurred in the event that Respondent fails to comply. Mr. Wheeler seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

At this point, the Session returned to regular order.

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 I)

Mr. Wheeler recused himself from consideration of Agenda Item IV D 3 (1) due to Probable Cause Committee service.

Following a short discussion of the issues pertaining to 07-096, a motion was made by Mr. Snyder that the matter 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	Recused
	Mr. Allen	Abstain
	Mr. Snyder	Yes
	Ms. Fisher	Abstain
	Mr. Caesar	Yes

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

Following discussion of Grievance 08-033, a motion was made by Ms. Fisher that 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	Recused
	Mr. Hoyt	Recused
	Mr. Allen	Abstain
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

THE RESULT WAS FOUR VOTES IN THE AFFIRMATIVE, NONE OPPOSED, TWO RECUSED AND ONE ABSTAINED. 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;
Patti L. Fisher;
James W. Hoyt;
P. Lane Wheeler;
Kim N. Allen;
Jana S. Barker; and
Harold J. Snyder III;

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

V. **DISCUSSION AND POSSIBLE ACTION REGARDING INVESTIGATOR SERVICES IN SUPPORT OF REAB.** No action.

VIII. **DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF DISCIPLINARY HEARING PANEL IN THE MATTER OF ROY B. BLACK, COMPLAINT #07-061, TO INCLUDE HEARING OF ORAL ARGUMENT AND ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit J)

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

Ms. Barker made a motion for the Board to enter 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. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Recused

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

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: Kim Holland, Chairperson;
Patti L. Fisher;
James W. Hoyt;
P. Lane Wheeler;
Kim N. Allen;
Jana S. Barker; and
Harold J. Snyder III;

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

Mr. Hoyt made a motion to accept the findings of fact and recommend a fine of five hundred (500) dollars. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

IX. **DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF DISCIPLINARY HEARING PANEL IN THE MATTER OF BEVERLY A. BOWEN, COMPLAINT #07-092, TO INCLUDE HEARING OF ORAL ARGUMENT AND ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit K)

Ms. Barker recused herself from consideration of Agenda Item IX due to Probable Cause Committee service.

Ms. Fisher recused herself from consideration of Agenda Item IX due to economic competition.

Mr. Hoyt made a motion to allow Assistant Attorney General Bryan Neal to decide on the Motion to Strike. The motion was seconded by Mr. Wheeler. The Chair ordered a roll call vote with the following results:

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

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

Assistant Attorney General Bryan Neal then granted the Motion to Strike with the exception of the last paragraph.

Mr. Hoyt made a motion for the Board to enter executive session. The motion was seconded by Mr. Wheeler. The Chair ordered a roll call vote with the following results:

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

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

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
Harold J. Snyder III;

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

Mr. Hoyt made a motion to accept the findings of fact amending the disciplinary recommendation to be a thirty (30) day suspension and a fine of one thousand (1,000) dollars. Mr. Wheeler seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Mr. Hoyt made a motion to grant a Stay for a period of thirty (30) days. Mr. Wheeler seconded the motion. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS TWO VOTES IN THE AFFIRMATIVE, THREE OPPOSED AND TWO RECUSED. THE MOTION FAILED.

Commissioner Holland excused herself from the remainder of the meeting.

X. **DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF AN INDIVIDUAL TO REAL ESTATE APPRAISER BOARD STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE AND CONCURRENT APPOINTMENT TO THE STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE AS AN APPRAISER HEARING OFFICER.** (Exhibit L)

Mr. Allen made a motion to accept the appointment as presented. 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. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

XII. **DISCUSSION AND POSSIBLE ACTION REGARDING ATTENDANCE AT AARO CONFERENCE, SRAG MEETING, AND ASB PUBLIC MEETING, NEW ORLEANS, LA DURING THE PERIOD OF APRIL 3-6, 2009.**

Mr. Caesar made a motion to approve six (6) individuals to attend the conference. 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
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

XIV. **ADJOURNMENT.**

The Board adjourned by general consent.

OFFICIAL MINUTES.

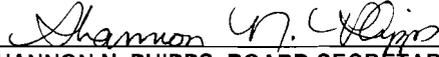
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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 L.



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



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