



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

April 10, 2009  
Date

201  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting April 10, 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 March 31, 2009 at 9:00 a.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on March 31, 2009. The addendum to the agenda was posted in the main entrance to the offices of the Oklahoma Insurance Department on April 7, 2009 at 1:30 p.m., and was e-mailed or hand-delivered to the offices of the Board members and posted to the REAB website on April 7, 2009. The agenda and addenda are attached as Exhibit A.

- I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar Jr. 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: 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  
Harold J. 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; Caleb Muckala, attorney for Commissioner Kim Holland; Bryan Neal, Assistant Attorney General; Shannon Phipps, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Joe Garnand; Lisa Smaligo; Brett Robinson, Legislative Liaison; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Hoyt moved that the reading of the minutes of the March 6, 2009 session be waived and approved as published and distributed. The motion was seconded by Mr. Wheeler. 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.

(Exhibit C) Mr. Hoyt moved that the reading of the minutes of the March 12, 2009 special 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
	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.** Vice-Chairperson Lee Caesar presented his oral report regarding the AARO Conference in New Orleans, LA.

Chairperson Kim Holland entered the room and was declared present.

**DIRECTOR'S REPORT.**

**A. Discussion and possible action regarding suspension of individuals for non-payment of annual fees due January 31, 2009.** (Exhibit D) 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
	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 May 31, 2009 and authority to issue certificates.** (Exhibit E) 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.

**C. Discussion and possible action regarding revocation of an individual for non-payment of annual fees due January 31, 2009 by reason of dishonored check.** (Exhibit F) A motion was made by Ms. Fisher and seconded by Ms. Barker to issue an order to revoke the individual listed in agenda item III, Director's Report 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	No

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND ONE OPPOSED.  
THE MOTION WAS AGREED TO.

IV. **COMMITTEE REPORTS:**

**A. Standards and Disciplinary Procedures Committee.**

**1. Discussion and possible action regarding report of March 12, 2009 meeting.** Board member Lane Wheeler presented his oral report.

**2. Discussion and possible action regarding review of disciplinary procedures.** No action.

**B. Education, Experience and Testing Committee:**

**1. Discussion and possible action regarding approval of course submittals.** (Exhibit G) A motion was made by Ms. Fisher and seconded by Mr. Hoyt to approve the recommendation 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 H)

**2(A)** A motion was made by Mr. Hoyt and seconded by Ms. Barker to approve the applications for Trainee certification for 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 Mr. Hoyt and seconded by Ms. Barker to approve reinstatement of licensure for the individual 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
	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 applicants.** (Exhibit I)

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

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

**3(2)** A motion was made by Mr. Wheeler and seconded by Mr. Hoyt 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
	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.** Legislative Liaison Brett Robinson presented his oral report.

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; and  
Jana S. Barker;

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

**D. Probable Cause Committee.**

**1. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee.** A motion was made by Mr. Caesar and seconded by Ms. Fisher to appoint Kim Allen, Lee Caesar Sr., Brett Brown and Bill Stephens to the Probable Cause Committee. 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	No
	Ms. Fisher	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND ONE OPPOSED.  
THE MOTION WAS AGREED TO.

**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.** No action.

V (a). DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF DISCIPLINARY HEARING PANEL AND SUBSEQUENT ACTION BY THE BOARD IN THE MATTER OF MICHAEL C. CLEVENGER, COMPLAINT NUMBER 08-046, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. No action.

V. **UNFINISHED BUSINESS.**

**0903A. Discussion and possible action regarding request by Diane Schumaker to modify the terms and conditions of Order #08-007.** (Exhibit J)

A motion was made by Mr. Wheeler and seconded by Mr. Hoyt to accept the terms and conditions as submitted. 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	No
	Ms. Fisher	No
	Mr. Caesar	Yes

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

Mr. Wheeler recused himself from consideration of Agenda Item V 0903B due to Probable Cause Committee service.

**0903B. Discussion and possible action regarding acceptance of Affidavit of Voluntary Surrender of Credential in lieu of Disciplinary Proceedings in the Matter of Jerry L. Gill, Complaints Number 08-063 and 08-077, to include any associated motions or matters.** (Exhibit K)

A motion was made by Ms. Fisher and seconded by Mr. Allen to accept the Affidavit of Voluntary Surrender of Credential in lieu of Disciplinary Proceedings for the individual listed in agenda item V 0903B. 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. Wheeler recused himself from consideration of Agenda Item V 0903C due to Probable Cause Committee service.

**0903C. Discussion and possible action regarding acceptance of Affidavit of Voluntary Surrender of Credential in lieu of Disciplinary Proceedings in the Matter of Devin R. Gordon, Complaints Number 02-041 and 06-119, to include any associated motions or matters.** (Exhibit L)

A motion was made by Ms. Fisher and seconded by Mr. Hoyt to accept the Affidavit of Voluntary Surrender of Credential in lieu of Disciplinary Proceedings for the individual listed in agenda item V 0903C. 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.

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

XII. **ADJOURNMENT.**

The Board adjourned by general consent.

**OFFICIAL MINUTES.**

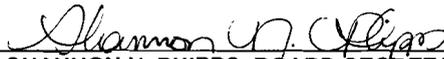
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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.



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



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