



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

September 4, 2013
Date

253
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting on September 4, 2013 at 9:30 a.m. The Meeting was held in the Public Meeting Room of the offices of the Oklahoma Insurance Department at 5 Corporate Plaza, 3625 NW 56th Street, Suite 100, 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 at 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma on Tuesday, September 3, 2013 at 9:00 a.m., and was mailed or hand delivered to the offices of the Board members on August 27, 2013 and posted to the REAB website on September 3, 2013. The agenda is attached as Exhibit A.

- I. **CALL TO ORDER.** Board Member P. Lane Wheeler 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: John D. Doak, Chairperson
James R. Artman;
Betty J. Cagle;
P. Lane Wheeler
Stephen C. Walton;
Shelley Pruitt; and
John P. Smithson

Board members excused were: Lee R. Caesar, Jr.

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

Ms. Cagle moved that P. Lane Wheeler be nominated as interim Vice-Chairperson in the absence of the Vice-Chairperson. The motion was seconded by Mr. Walton. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

Others in attendance were: Christine McEntire, Director; Barron Brown, Counsel for Commissioner John D. Doak; Bryan Neal, Assistant Attorney General, and Eric Schoen, Board Secretary. Others present were: Steve McCaleb, William Mowat, Melissa Hadley, Glinda Cordell and Mike Cordell.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Walton moved that the reading of the minutes of the August 7, 2013 session be waived and approved as published and distributed. The Motion was seconded by Mr. Smithson. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes

Mr. Smithson	Yes
Mr. Caesar	Excused

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

III. **Discussion and Possible Action Regarding a Proposed Resolution/Final Decision in the Matter of A-1 Closing Services, Ltd.; Complaint #A11-002; to include any Associated Matters or Motions.** (Exhibit C)

After a brief oral presentation by Stephen L. McCaleb, Mr. Walton made a Motion to approve the recommended discipline as presented. The Motion was seconded by Ms. Pruitt. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

IV. **Discussion and Possible Action Regarding a Request for a Payment Plan by William D. Mowat with Respect to the Fine and Costs Ordered Paid under Board Order #13-014; in the Matter of William D. Mowat; Complaint #12-050.** (Exhibit D)

After a brief oral presentation by William D. Mowat, Ms. Cagle made a Motion to go into executive session. The Motion was seconded by Mr. Smithson. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. 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: James R. Artman;
Betty J. Cagle;
P. Lane Wheeler
Stephen C. Walton;
Shelley Pruitt; and
John P. Smithson

Mr. Walton made a Motion to approve a payment plan of the court ordered fine payable in six monthly installments beginning on September 18, 2013 and on the 18th of each of thereafter until paid in full. The Motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

V. **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 on June 30, 2013.** No action taken.

B. **Discussion and possible action regarding approval of renewal applications due by October 31, 2013 and authority to issue certificates.** (Exhibit E)

Mr. Walton made a Motion and it was seconded by Ms. Pruitt to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item V, Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

C. **Discussion and possible action regarding approval of original certificates of registration for Appraisal Management Companies.** (Exhibit F)

(B) Ms. Cagle made a Motion and it was seconded by Mr. Walton to approve Board staff to issue new Certificate of Registration reflecting the requested d/b/a to the company listed in Agenda Item V, Director's Report C (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

D. **Discussion and possible action regarding approval of AMC renewal applications due by October 31, 2013 and authority to issue certificates.** (Exhibit G)

Ms. Cagle made a Motion and it was seconded by Mr. Walton to issue certificates of registration to the companies listed in Agenda Item V, Director's Report D. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

VI. 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 H)

Mr. Smithson made a Motion and it was seconded by Ms. Cagle to approve the recommendation as presented in Agenda Item VI. B. 1. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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 I)

2(A-D) Ms. Cagle made a Motion and it was seconded by Ms. Pruitt to allow the staff to be given to given authority to approve the applications for reinstatement of the appraiser credentials and be given authority to issue credentials to the individuals listed in Agenda Item VI. B.2(A-D). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

2(E) Ms. Cagle made a Motion and it was seconded by Ms. Pruitt to allow staff to be given authority to issue a trainee appraiser credential to the individual listed in Agenda Item VI. B. 2(E). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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 J)

3(A) Ms. Cagle made a Motion and it was seconded by Ms. Pruitt to allow the staff to be given authority to approve the application for upgrade and be given authority to issue upgrade certificates to the individuals listed in Agenda Item VI. B.3(A), 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:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

3(B) Ms. Cagle made a Motion and it was seconded by Ms. Pruitt to allow the staff to be given authority to deny the application for upgrade of the individual listed in Agenda Item VI. B. 3(B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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 K)

Following discussion of Grievance A13-003, a Motion was made by Ms. Cagle that the matter be dismissed, the file closed and no further action be taken. Mr. Walton seconded the Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

Following discussion of Grievance A13-004, a Motion was made by Ms. Cagle that a Letter of Warning be issued to the AMC, the file closed and no further action be taken. Mr. Walton seconded the Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

Following discussion of Grievance 13-007, a Motion was made by Ms. Cagle that a non-disciplinary Letter of Warning be issued to the Respondent, the file closed and no further action be taken. Ms. Pruitt seconded the Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Excused

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

VII. NEW BUSINESS.

VIII. 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.



A handwritten signature in dark ink, appearing to read "P. Lane Wheeler".

P. LANE WHEELER, VICE-CHAIRPERSON
OKLAHOMA REAL ESTATE APPRAISER BOARD

A handwritten signature in blue ink, appearing to read "Eric M. Schoen".

ERIC M. SCHOEN, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD