



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES
(Amended)

September 7, 2012
Date

241
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 7, 2012 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 September 5, 2012 at 11:00 a.m. and was mailed or hand delivered to the offices of the Board members on August 30, 2012 and posted to the REAB website on September 5, 2012. 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: Patti L. Fisher
Stephen C. Walton;
Betty J. Cagle;
Jana S. Barker;
P. Lane Wheeler; and
Harold J. Snyder III

Board members excused were: Lee R. Caesar Jr., Board Member; John D. Doak, Commissioner.

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

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

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	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; Baron Brown, Counsel for Commissioner John D. Doak; Bryan Neal, Assistant Attorney General, Christen Watson, Board Secretary, and Rebecca Keesee, Legal Secretary. Others present were: Joe Garnand, Glinda Cordell, Jeremy McMillan and Heath Boyles.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Wheeler moved that the reading of the minutes of the August 3, 2012 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. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes

Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Excused

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

Ms. Fisher recused herself from consideration of Agenda Item III due to Probable Cause Committee service.

III. **DISCUSSION AND POSSIBLE ACTION REGARDING A DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF RUSSELL S. MCINTOSH; COMPLAINT #11-063; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.**
(Exhibit C)

Ms. Cagle made a Motion go into executive session. 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. Snyder	Yes
	Ms. Fisher	Recused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

THE RESULT WAS FIVE 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: Stephen C. Walton;
Betty J. Cagle;
Jana S. Barker;
P. Lane Wheeler; and
Harold J. Snyder III

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

Mr. Wheeler made a Motion that the Board accept the Hearing Panel Recommendation presented but modify the recommended discipline as presented to eliminate item 1, eliminate the 15-Hour USPAP course and accept all of the other recommended discipline as presented in this matter. Mr. Wheeler explained that the reason for the modification was due to previous discipline imposed under Complaint #11-041. Ms. Cagle seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Recused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

Mr. Snyder recused himself from consideration of Agenda Item IV due to Probable Cause Committee service. Ms. Cagle also recused herself from consideration Agenda Item IV.

IV. **DISCUSSION AND POSSIBLE ACTION REGARDING A DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF JEREMY E. MCMILLAN; COMPLAINT #10-034; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.**

Due to the lack of a quorum, the matter was tabled until the next meeting.

V. **DISCUSSION AND POSSIBLE ACTION REGARDING AN AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL IN LIEU OF DISCIPLINARY PROCEEDINGS IN THE MATTER OF GEORGE K. ANDERSON; COMPLAINT #11-071, #11-077, #12-011A AND 12-028; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit D)

Mr. Wheeler made a Motion to accept the surrendered license as presented in this matter. Mr. Walton seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Recused
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Recused
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

Ms. Fisher recused herself from consideration of Agenda Item VI due to Probable Cause Committee service.

VI. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF AARON B. KELCY; COMPLAINT #11-031B AND SETTING OF A TIMEFRAME IN WHICH BOARD ORDERED CORRECTIVE ACTION IS TO BE COMPLETED; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit E)

Ms. Cagle made a Motion go into 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	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Recused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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: Stephen C. Walton;
Betty J. Cagle;
Jana S. Barker;
P. Lane Wheeler; and
Harold J. Snyder III

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

Mr. Wheeler made a Motion to allow the respondent six months from September 7, 2012 to complete the corrective education courses in this matter. Ms. Barker seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Recused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

VII. **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, 2012. (Exhibit F) **Ms. Barker made a Motion and it was seconded by Mr. Wheeler to issue an order to suspend the individuals listed in Agenda Item VII, Director's Report A¹.** The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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, 2012 and authority to issue certificates. (Exhibit G) Mr. Wheeler made a Motion and it was seconded by Ms. Barker to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item VII, Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	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 H) Ms. Barker made a Motion and it was seconded by Mr. Wheeler to issue renewal certificates to the companies listed in Agenda Item VII, Director's Report C. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	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 renewal applications due by October 31, 2012 for Appraisal Management Companies and authority to issue certificates. (Exhibit L) Ms. Barker made a Motion and it was seconded by Mr. Wheeler to issue renewal certificates to the companies listed in Agenda Item VII, Director's Report D. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes

Mr. Wheeler	Yes
Mr. Caesar	Excused

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

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

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	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 J)

2(A) Mr. Wheeler made a Motion and it was seconded by Ms. Barker to approve the application for approval of original licensure for the individual listed in Agenda Item VIII B 2 (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

2(B) Ms. Barker made a Motion and it was seconded by Mr. Snyder to allow staff to be given authority to issue a reciprocal license to the individuals listed in Agenda Item VIII B 2 (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

2(C) Ms. Barker made a Motion and it was seconded by Mr. Snyder to approve the applications for upgrade for the individual listed in Agenda Item VIII B 2 (C). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes

Mr. Walton	Yes
Ms. Cagle	Yes
Mr. Wheeler	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 K)

3(A) A Motion was made by Ms. Barker and seconded by Mr. Snyder to disapprove experience documentation for the applicant listed in Agenda Item VIII B 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

3(B) A Motion was made by Ms. Barker and seconded by Mr. Wheeler to disapprove experience documentation for the applicant listed in Agenda Item VIII B 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

3(C) A Motion was made by Mr. Wheeler and seconded by Mr. Snyder to disapprove experience documentation for the applicant listed in Agenda Item VIII B 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

3(D) A Motion was made by Mr. Wheeler and seconded by Ms. Barker to disapprove experience documentation for the applicant listed in Agenda Item VIII B 3. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	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 report.

D. **Probable Cause Committee.** No report.

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.** No action.

IX. **DISCUSSION AND POSSIBLE ACTION REGARDING NOTIFICATION OF THE APPRAISAL SUBCOMMITTEE OF ITS 2013 COMPLIANCE REVIEW AND REQUEST FOR RESCHEDULING OF OCTOBER 2013 BOARD MEETING.**

(Exhibit L)

Mr. Wheeler made a Motion to reschedule the October 2013 Board meeting to accommodate the 2013 compliance review by the Appraisal Subcommittee. Ms. Barker seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Excused

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

X. **DISCUSSION AND POSSIBLE ACTION REGARDING PENDING INVESTIGATION OF MERCURY NETWORK AS AN APPRAISAL MANAGEMENT COMPANY TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.**

(Exhibit M)

Ms. Barker made a Motion go into 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	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	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: Patti L. Fisher
Stephen C. Walton;
Betty J. Cagle;
Jana S. Barker;
P. Lane Wheeler; and
Harold J. Snyder III

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

XI. **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 M.



A handwritten signature in black ink, appearing to read "Lee R. Caesar Jr.", written over a horizontal line.

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

A handwritten signature in blue ink, appearing to read "Eric M. Schoen", written over a horizontal line.

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

¹ The official Minutes of the September 7, 2012 meeting have been amended to reflect the actual Motion that was made under this Agenda Item. The previous Minutes reflected that the Board voted to issue renewal certificates to the appraisers discussed in this Agenda item; however, this agenda item relates to non-payment of annual dues and the actual Motion was to suspend the appraisers.