



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

August 7, 2009
Date

205
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting August 7, 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 July 28, 2009 at 10:00 a.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on July 28, 2009. The addendum to the agenda was posted in the main entrance to the offices of the Oklahoma Insurance Department on August 4, 2009 at 4:30 p.m., and was e-mailed or hand-delivered to the offices of the Board members and posted to the REAB website on August 4, 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 9:36 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; and
Kim N. Allen;

Board members excused were: Kim Holland, Chairperson;
Jana S. Barker; Board member;
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 Gabbert, Board Secretary; and Christine McEntire, Board Legal Secretary.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Hoyt moved that the reading of the minutes of the July 10, 2009 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:	Mr. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE 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.

Board member Harold J. Snyder III 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 May 31, 2009.** (Exhibit C) A motion was made by Ms. Fisher and seconded by Mr. Allen 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:	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 AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Chairperson Kim Holland entered the room and was declared present.

B. Discussion and possible action regarding approval of renewal applications due September 30, 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:	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 AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

C. Discussion and possible action regarding volunteer system of work product review for experience verification. (Exhibit E) No action.

IV. COMMITTEE REPORTS:

At this point, Agenda Item IV (C) was taken out of order, by order of the Chair.

C. Legislation and Rules Committee. Legislative Liaison Brett Robinson presented his oral report.

At this point, the Session returned to regular order.

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 F) A motion was made by Mr. Hoyt and seconded by Mr. Snyder 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:	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 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 G)

2(A) A motion was made by Mr. Hoyt and seconded by Mr. Wheeler to approve the applications for Trainee credentials 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:	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 AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

2(B) A motion was made by Mr. Hoyt and seconded by Mr. Wheeler to allow staff to be given authority to issue reciprocal licenses to the individuals listed in agenda item V B 2 (B). 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	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 Mr. Wheeler to approve the applications for upgrade for applicants listed in Agenda Item IV B 2 (C). 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	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

2(D) A motion was made by Mr. Hoyt and seconded by Mr. Wheeler to approve transfer of licensure of the individual listed in agenda item V B 2 (D). 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	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

2(E) Agenda item V B 2 (E) tabled to September 4, 2009 meeting.

3. Discussion and possible action regarding approval or disapproval of experience documentation of applicants. No report.

4. Discussion and possible action regarding recognition of ANSI Standard Z-765 as acceptable methodology for measuring single family residences.

A motion was made by Ms. Fisher and seconded by Mr. Wheeler to recognize ANSI Standard Z-765 as an acceptable methodology for measuring single family residences. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS ONE VOTE IN THE AFFIRMATIVE AND FIVE OPPOSED.
THE MOTION FAILED.

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
Harold J. Snyder III

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. 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. Allen recused himself from consideration of Agenda Item V(D) 3 due to Probable Cause Committee service.

Following a short discussion of the issues pertaining to 09-031, a motion was made by Mr. Hoyt that the matter be closed without further action. Mr. Snyder 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 09-032, a motion was made by Mr. Wheeler that the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Ms. Fisher 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 09-050, a motion was made by Mr. Hoyt that the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Mr. Wheeler 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of the issues pertaining to 09-035, a motion was made by Ms. Fisher that the matter be closed without further action. 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 09-036, a motion was made by Mr. Wheeler that further action be suspended and grievance be annotated in the appraiser file pending any application for reinstatement. Mr. Snyder 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of the issues pertaining to 09-039, a motion was made by Ms. Fisher that the matter be closed without further action. Mr. Wheeler 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 09-047, a motion was made by Ms. Fisher that the matter be closed without further action. Mr. Wheeler 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following a short discussion of the issues pertaining to 09-056, a motion was made by Mr. Hoyt that the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Ms. Fisher 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 09-062, a motion was made by Mr. Wheeler that the matter be adopted as a formal complaint and forwarded to a prosecutor for action. 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of the issues pertaining to 09-066, a motion was made by Mr. Hoyt that a letter of warning be issued and the file closed without further action. Mr. Wheeler 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Grievance 09-067 was tabled to the September 7, 2009 meeting because Mr. Wheeler recused himself leaving less than a quorum present and qualified to vote.

Following discussion of the issues pertaining to 09-075, a motion was made by Ms. Fisher that the matter be closed without further action. 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following a short discussion of Grievance 09-076, a motion was made by Ms. Fisher that the matter be closed without further action. Mr. Wheeler 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of the issues pertaining to 09-077, a motion was made by Mr. Hoyt that the matter be closed without further action. Mr. Wheeler 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following a short discussion of Grievance 09-082, a motion was made by Mr. Wheeler that the matter be closed without further action. Ms. Fisher 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Following discussion of Order 09-005 (Complaint 08-047), a motion was made by Ms. Fisher that the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Mr. Snyder 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	Recused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

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

V. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER ENTERED INTO BY DALE E. KEELE IN THE MATTER OF DARLA A. EDWARDS AND DALE E. KEELE, COMPLAINT NUMBER 08-056, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit I)

A motion was made by Mr. Allen and seconded by Mr. Hoyt that Dale E. Keele be permanently barred from supervising trainee appraisers as licensed by the Oklahoma Real Estate Appraiser Board. The Chair ordered a roll call vote with the following results:

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

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

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

VI. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF RODNEY S. WILSON, COMPLAINT NUMBER 08-059, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit J)

Mr. Allen made a motion to approve the Consent Order as presented. The motion was seconded by Ms. Fisher. The Chair ordered a roll call vote with the following results:

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

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

VII. NEW BUSINESS. No new business.

VIII. ADJOURNMENT.

The Board adjourned by general consent.

OFFICIAL MINUTES.

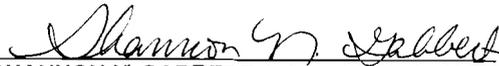
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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 J.



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



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