



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

September 4, 2009
Date

206
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 4, 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 August 26, 2009 at 1:30 p.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on August 26, 2009. The addendum to the agenda was posted in the main entrance to the offices of the Oklahoma Insurance Department on September 2, 2009 at 11:30 a.m., and was e-mailed or hand-delivered to the offices of the Board members and posted to the REAB website on September 2, 2009. The agenda and addenda are attached as Exhibit A.

At this point the Board discussed the appointment of a Board member to serve as acting Chair in the absence of the Chairperson and Vice-Chairperson.

Ms. Barker moved that Board member Patti L. Fisher serve as acting Chair. The motion was seconded by Mr. Wheeler. A roll call vote was taken with the following results:

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

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

- I. **CALL TO ORDER.** Board member Patti L. Fisher 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;
James W. Hoyt;
P. Lane Wheeler;
Kim N. Allen; and
Jana S. Barker;

Board members excused were: Kim Holland, Chairperson;
Lee R. Caesar Jr.; Vice-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 Gabbert, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Daniel Corff; Kevin Broderick; Derek Vinson; Hal Hartsock; Brett Robinson, Legislative Liaison; Steve McCaleb, Board Prosecutor; and Sue Wycoff, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Hoyt moved that the reading of the minutes of the August 7, 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

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.

DIRECTOR'S REPORT.

A. Discussion and possible action regarding suspension of individuals for non-payment of annual fees due June 30, 2009. No action.

B. Discussion and possible action regarding approval of renewal applications due October 31, 2009 and authority to issue certificates. (Exhibit C) A motion was made by Mr. Allen 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

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

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 D) A motion was made by Mr. Wheeler 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

THE RESULT WAS FIVE 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 E)

2(A) A motion was made by Mr. Allen and seconded by Mr. Wheeler to approve the application for Trainee credential for the individual 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

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

2(B) A motion was made by Mr. Allen and seconded by Ms. Barker to approve reinstatement of licensure for the individual listed in agenda item V 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

THE RESULT WAS FIVE 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 F)

3(1) A motion was made by Mr. Wheeler 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
	Ms. Fisher	Yes

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

3(2) A motion was made by Mr. Wheeler and seconded by Ms. Barker 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

THE RESULT WAS FIVE 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 point, Agenda Item X was taken out of order, by order of the Chair.

X. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED LEGISLATION RELATING TO REGISTRATION AND REGULATION OF APPRAISAL MANAGEMENT COMPANIES (AMC'S). No action.

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. Agenda Item VI (D) 3 tabled to October 2, 2009 Board meeting.

Chairperson Kim Holland entered the room and was declared present.

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 IN THE MATTER OF RONALD E. BURK, COMPLAINT NUMBER 08-078, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit G)

A motion was made by Mr. Allen and seconded by Mr. Hoyt to approve consent order as presented. 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
	Commissioner Holland	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 VI due to Probable Cause Committee service.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST BY DANIEL CORFF TO CANCEL HIS REMAINING ONE YEAR OF PROBATION FOLLOWING COMPLETION OF 120 HOURS OF CORRECTIVE EDUCATION, AND ONE YEAR OF PROBATION, PURSUANT TO BOARD ORDER 08-024. (Exhibit H)

Mr. Allen made a motion to suspend Respondent's probationary period. 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. Wheeler	Recused
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Ms. Fisher	Yes
	Commissioner Holland	Yes

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

Mr. Allen recused himself from consideration of Agenda Item VII due to Probable Cause Committee service.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING A NOTICE AND ORDER TO SHOW CAUSE, IN THE MATTER OF KEVIN F. BRODERICK, RELATING TO REAB ORDER 08-008 AND COMPLAINTS NUMBERED 05-082, 06-093, 06-128, AND 06-144, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit I)

Following an objection by Board Prosecutor Sue Wycoff, which was sustained by Assistant Attorney General Bryan Neal, Ms. Barker made a motion to reject Respondent's proposed exhibits. 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	Recused
	Ms. Fisher	Yes
	Commissioner Holland	Yes

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

Mr. Wheeler made a motion for the Board to enter 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. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Recused
	Ms. Fisher	Yes
	Commissioner Holland	Yes

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: Commissioner Holland;
Patti L. Fisher;
James W. Hoyt;
P. Lane Wheeler; and
Jana S. Barker;

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

Mr. Wheeler made a motion for Respondent to be ordered to remove all language relating to his appraisal license from the identified website by September 15, 2009 and provide the Board with evidence that such has occurred, or the Board will progress with revocation proceedings. 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. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Recused
	Ms. Mc Fisher	Yes
	Commissioner Holland	Yes

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

- VIII. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER WITH MINDI L. MORGAN ONLY, IN THE MATTER OF FRANK J. HENDRICKSON AND MINDI L. MORGAN, COMPLAINT NUMBER 08-081, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. Agenda Item VIII tabled to October 2, 2009 Board meeting.
- IX. DISCUSSION AND POSSIBLE ACTION REGARDING AN AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL IN LIEU OF DISCIPLINARY PROCEEDINGS WITH RESPECT TO FRANK J. HENDRICKSON AND MINDI L. MORGAN, COMPLAINT NUMBER 08-081, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. Agenda Item IX tabled to October 2, 2009 Board meeting.
- X. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A CONSENT ORDER IN THE MATTER OF KAREN L. CARRIS, COMPLAINT NUMBER 08-095, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. Agenda Item X tabled to October 2, 2009 Board meeting.
- XI. NEW BUSINESS. No new business.
- XII. ADJOURNMENT.

The Board adjourned by general consent.

OFFICIAL MINUTES.

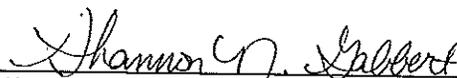
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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 I.



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



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