



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

October 2, 2009  
Date

207  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting October 2, 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 September 22, 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 September 22, 2009. The agenda is attached as Exhibit A.

- I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar Jr. 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: Lee R. Caesar Jr.;  
Patti L. Fisher;  
James W. Hoyt;  
P. Lane Wheeler;  
Jana S. Barker; and  
Harold J. Snyder III

Board members excused were: Kim Holland, Chairperson;  
Kim N. Allen; 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: Denny Hudacky; Joe Garnand; Ken Bassett; 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 September 4, 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. Snyder	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.** 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 July 31, 2009. (Exhibit C) A motion was made by Ms. Fisher and seconded by Mr. Wheeler 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. Snyder	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 November 30, 2009 and authority to issue certificates.** (Exhibit D) A motion was made by Mr. Wheeler and seconded by Ms. Fisher 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. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

#### 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 E) 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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 F)

**2(A)** A motion was made by Mr. Hoyt and seconded by Mr. Snyder 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. 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. Snyder 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. 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 reinstatement of credential 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. 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. Snyder to approve application for upgrade of applicant listed in Agenda Item IV B 2 (D). The Chair ordered a roll call vote with the following results:

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

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

**D. Probable Cause Committee.**

At this point, Agenda Item IV (D) 3 was taken out of order, by order of the Chair.

**3. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. (Exhibit G)**

Following a short discussion of the issues pertaining to Grievance 09-049, a motion was made by Mr. Wheeler that the matter be adopted as a formal complaint and forwarded to a prosecutor for action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

Following discussion of Grievance 09-053, a motion was made by Ms. Barker 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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.

Following discussion of Grievance 09-054, a motion was made by Ms. Barker 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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.

Mr. Wheeler recused himself from consideration of Agenda Item IV (D) 3 due to personal knowledge since he signed the grievance for the Board.

Following discussion of the issues pertaining to 09-067, a motion was made by Ms. Barker 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:	Ms. Barker	Yes
	Mr. Wheeler	Recused
	Mr. Hoyt	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.

Following discussion of Grievance 09-073, a motion was made by Mr. Hoyt that the matter be closed without further action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

Following discussion of the issues pertaining to Grievance 09-078, a motion was made by Ms. Barker 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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.

Following discussion of Grievance 09-083, a motion was made by Ms. Barker that the matter be dismissed as to the appraiser in question. Further, that complaint be transferred to, and consolidated with Grievance 09-110, and both issues be pursued against those parties. Mr. Snyder seconded the motion. The Chair ordered a roll call vote with the following results:

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

Following a short discussion of the issues pertaining to Grievance 09-087, 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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.

Following discussion of Grievance 09-088, a motion was made by Mr. Wheeler that the matter be closed without further action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

Following discussion of the issues pertaining to Grievance 09-090, a motion was made by Ms. Barker 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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.

Following discussion of the issues pertaining to Grievance 09-091, a motion was made by Ms. Barker 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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.

Following a short discussion of Grievance 09-110, a motion was made by Ms. Barker that the matter be consolidated with Grievance 08-083 and adopted as a formal complaint against both the appraiser and his trainee 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:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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.

At this point, the Session returned to regular order.

**1. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee.**

A motion was made by Ms. Fisher and seconded by Mr. Snyder to retain the current PCC roster. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	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 standing operating procedures for the Probable Cause Committee. No action.**

**V. RECEIVE REMARKS FROM REPRESENTATIVES OF THE APPRAISAL SUBCOMMITTEE OF THE FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL. ASC Policy Manager Kristi Klamet presented her 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.;  
Patti L. Fisher;  
James W. Hoyt;  
P. Lane Wheeler;  
Jana S. Barker; and  
Harold J. Snyder III

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

**VI. UNFINISHED BUSINESS.**

Mr. Wheeler recused himself from consideration of Agenda Item VI (0909A) due to Probable Cause Committee service.

**0909A. 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. (Exhibit H)**

Ms. Fisher made a motion that the consent order be accepted. 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. 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 VI (0909B) due to Probable Cause Committee service.

**0909B. DISCUSSION AND POSSIBLE ACTION REGARDING AN AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL IN LIEU OF DISCIPLINARY PROCEEDINGS WITH RESPECT TO FRANK J. HENDRICKSON ONLY IN THE MATTER OF FRANK J. HENDRICKSON AND MINDI L. MORGAN, COMPLAINT NUMBER 08-081, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit I)

Ms. Fisher made a motion accept the order as presented. 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. 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.

**0909C. 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.** (Exhibit J)

Ms. Fisher made a motion to accept the consent order as presented. 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. Snyder	Yes
	Ms. Fisher	Yes
	Mr. Caesar	Yes

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

Ms. Barker recused herself from consideration of Agenda Item VII due to Probable Cause Committee service.

**VII. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FROM DON M. YEAGER FOR EXTENSION OF TIME FOR COMPLIANCE WITH THE PROVISIONS OF ORDER #08-028.** (Exhibit K)

Ms. Fisher made a motion that the extension be denied. The motion was seconded by Mr. Snyder. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS TWO VOTES IN THE AFFIRMATIVE, ONE RECUSED AND THREE OPPOSED. THE MOTION FAILED.

Mr. Wheeler made a motion that the ninety (90) day extension be granted. The motion was

seconded by Mr. Hoyt. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FOUR VOTES IN THE AFFIRMATIVE, ONE RECUSED AND ONE OPPOSED. THE MOTION WAS AGREED TO.

VIII. **NEW BUSINESS.** No new business.

IX. **ADJOURNMENT.**

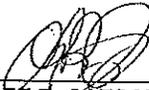
The Board adjourned by general consent.

**OFFICIAL MINUTES.**

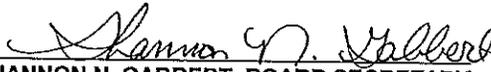
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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.



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



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