

electronic device and to rely on the electronic recording.

PRELIMINARY MATTERS

There were no preliminary matters presented to the Disciplinary Hearing Panel. Neither party to these proceedings requested that a court reporter record this matter and neither party to these proceedings submitted any proposed findings of fact or proposed conclusions of law to the Disciplinary Hearing Panel for their consideration.

As the Board's Prosecutor, Mr. McCaleb presented his opening statement on behalf of the Board.

RESPONDENT'S PRIOR DISCIPLINE

As part of his opening statement on behalf of the Board, the Board's Prosecutor, Mr. McCaleb, stated that the Respondent had been disciplined by the Board previously in Board Complaint #12-055 styled as "In the Matter of WALTER M. KING, Respondent" through Board Order No. 13-017 which included, among other things, a One (1) year period of Probation.

Subsequently, the Respondent presented his opening statement in his defense at the beginning of the Hearing through his Attorney.

WITNESSES AND EVIDENCE PRESENTED

In addition to presenting the Respondent, Walter M. King, a non-AQB compliant state licensed appraiser, licensed as 12517SLA, of Chickasha, Oklahoma, to testify as a witness for the Board on direct questioning, the Board's Prosecutor presented a second witness in support of the case against the Respondent: Christine McEntire, the Board's Director.

Walter M. King Testimony (Summary)

The Respondent, Walter M. King, upon being duly sworn as a witness for the Board,

testified that he recognized Board Order No. 13-017 through which he had been disciplined by the Board previously in Board Complaint #12-055 styled as "In the Matter of WALTER M. KING, Respondent" (State Exhibit 14) as he had lived it over and over. The Board's Prosecutor, Mr. McCaleb, moved for admission of State Exhibit 14 to which Mr. Gamino said that the Respondent stipulates that the exhibit says what it says. State Exhibit 14 was admitted into evidence.

The Respondent was handed an OREAB trial notebook by the Board's Prosecutor, and was asked if he recognized State Exhibit 2. The Respondent indicated that recognized his revised State Licensed Appraiser's license as State Exhibit 2, page 3, that had the limitation stated on its face that he could not do federally related transactions and the date of November 14, 2013, on its face but that he did not get a copy of his revised State Licensed Appraiser's license until sometime in the middle of December of 2013 because he only goes to the Post Office to pick up his mail about once each month. The Respondent identified State Exhibit 2, page 2 to be a cover letter to him from the Board dated November 14, 2013 and State Exhibit 2, page 1 to be a certified mail receipt with his signature that was dated November 19, 2013, the number of which certified mail receipt was read into the record by the Board's Prosecutor and which certified mail receipt number matched that on the Board's cover letter (State Exhibit 2, page 2).

The Respondent objected to the admission of State Exhibit 2 into evidence as the Respondent claimed that State Exhibit 2, page 1 dated November 19, 2013, was not the correct certified mail receipt, that he had another certified mail receipt copy dated November 11, 2013, that he would present that was a copy of the correct certified mail return receipt. Upon examination of the Respondent's offer of its version of the certified mail receipt (later admitted Exhibit Tab C, page 9), the Board's Prosecutor responded that the copy produced by the Respondent had an illegible date, was not an accurate copy and that the copy he produced as State Exhibit 2, page 1 was an

accurate copy that was legible and dated November 19, 2013. State Exhibit 2 was admitted into evidence over the Respondent's objection that was noted.

The Respondent was directed to State Exhibit 9 in the OREAB trial notebook for identification as a page from his work log for the month of December 2013 marked as "No Appraisals" that was so identified and to which there was no objection. Accordingly, State Exhibit 9 was admitted into evidence.

The Respondent was directed to State Exhibit 10, pages 1 through 18, in the OREAB trial notebook for identification as an appraisal report by him with an effective date of December 3, 2013, and signed by him on December 6, 2013, for the 723 County Road 1350, Chickasha, Oklahoma, report. The Respondent identified State Exhibit 10 as his document that he signed that stated on page 2 that it is an "appraisal" with an opinion of value determined by him of \$389,200.00 provided on page 2 and State Exhibit 10 was admitted without objection. When questioned about this report the Respondent admitted that it was not listed by him in his work log for December 2013.

On cross-examination, the Respondent testified that he had been an appraiser since 2000 that he kept up with his continuing education along the way, that he does not dispute that he was previously disciplined by the Board, that AQB Compliance was a big issue and that they were pretty much changing everything because of that issue. Continuing, the Respondent said that he received his renewed license in June of 2013, that it contained no indication that he was non-AQB compliant at that time, that no letter accompanied his June 2013 license, that he is still licensed as an appraiser in Oklahoma, that he received a letter from the Board in the middle of December of 2013 although he could not remember the exact day, that it was received whenever he went to the Post Office, that he only goes to the Post office every once and awhile, that he goes to the Post office about once a month to six weeks, and that when you only earn \$2,000.00 a year you don't go very often.

The Respondent was handed a Respondent's trial notebook from his Attorney referred to as the "Respondent's Exhibits", from which the Respondent identified a group of documents collectively as Respondent's Tab C that consisted of pages 1 through 35 that he said included, among other things, a notification to him of required AQB compliance (Tab C, page 2-3), four (4) Board form letters not actually addressed to him (Tab C, pages 4-7), a Grievance (Tab C, page 1) from the Board in September 2014 (Exhibit Tab C), a report labeled as "Appraisal of Real Property" for property at 1705 N.W. Lindy, Lawton, Oklahoma, signed by him on August 1, 2014 (Exhibit Tab C, page 16-23), and a copy of his revised non-AQB compliant State Licensed Appraiser license dated November 14, 2013 (Exhibit Tab C, page 11) that he said he did not receive until sometime in the middle of December 2013. Respondent's Exhibit Tab C was admitted without objection.

The Respondent testified that being non-AQB compliant as a State Licensed Appraiser, he cannot appraise in federally related transactions but that he can appraise private transactions, and that he received a cover letter from the Board in the middle of December, 2013 (Exhibit Tab C, page 10), with a copy of his revised non-AQB compliant State Licensed Appraiser license dated November 14, 2013 (Exhibit Tab C, page 11). When questioned about his report on 1705 N.W. Lindy, Lawton, Oklahoma, signed by him on August 1, 2014 (Exhibit Tab C, page 16-23), the Respondent said that he did the 723 County Road 1350, Chickasha, Oklahoma, report (with a December 3, 2013, effective date), at the end of his probation period, that he had no motive to mislead, that he made a mistake like the Board did, that he sent the December 2013 work log in on December 5, 2013, the day before he signed the 723 County Road 1350, Chickasha, Oklahoma, report on December 6, 2013.

The Respondent was questioned about a document from the United States Postal System ("USPS") labeled "USPS Tracking" that stated that a piece of certified mail was received in

Chickasha on November 19, 2013, with the same certified receipt number as in State Exhibit 2, confirming mail delivery on November 19, 2013 (State Exhibit 15), the Respondent objected through his Attorney that this was a “surprise document” that was not included in the OREAB’s trial notebook. The Board’s Prosecutor responded that State Exhibit 15 was rebuttal evidence that demonstrated that the Respondent received his revised non-AQB compliant State Licensed Appraiser license dated November 14, 2013, on November 19, 2013, as previously provided in State Exhibit 2 and that as such State Exhibit 15 should be admitted. The Respondent’s objection was overruled and State Exhibit 15 was admitted into evidence.

Christine McEntire Testimony (Summary)

Upon being duly sworn, Ms. McEntire testified that she has been the Board’s Director since 2011, and had been on the Board Staff since 2007, that she was familiar with the Respondent, that the Respondent has had prior Board discipline, that the Respondent received his discipline in November, 2013, that the Respondent had returned his incorrect license to the Board and that no disciplinary action was filed against the Respondent in 2013. Ms. McEntire identified the Respondent’s prior State Licensed Appraiser license as having been received back from the Respondent on December 2, 2013, to be marked “invalid” on its face as State Exhibit 16, which Exhibit 16 was admitted into evidence.

Ms. McEntire identified the State Exhibit 1 to be a AQB letter about the consequences of an appraiser not being AQB compliant, four (4) form letters from the Board dated August 24, 2011, March 1, 2012, February 11, 2013, and June 26, 2013, respectively, that were each saved as mail merge mass-mailings to its non-AQB compliant licensees but not saved for each individually-named appraiser so situated, and, as an example, a form non-AQB compliant State licensed Appraiser license with the notification on its face that the individual named thereon (and to whom an

individualized certificate would be provided) was non-AQB compliant and unable to appraise federally-related transactions (State Exhibit 1). The State Exhibit 1 was admitted without objection. Continuing, Ms. McEntire said that the Board sent the same letters to about one hundred appraisers, that a mail merge was used to do so, that the warnings began about two years out in advance of the need to upgrade to a different level of licensure.

Ms. McEntire identified State Exhibit 3 as the notice from the Board's website during 2011 to 2013 of the consequences of being non-AQB compliant that was admitted without objection (State Exhibit 3).

Ms. McEntire identified State Exhibit 4 as the notice placed in the Board's newsletter during the same period providing notice of the consequences of being non-AQB compliant that was admitted without objection (State Exhibit 4).

Ms. McEntire identified State Exhibit 5 as the Respondent's work log for January 2014 that was received by the Board on February 3, 2014, which was admitted without objection (State Exhibit 5).

Ms. McEntire identified State Exhibit 6 as the Respondent's appraisal report for the property at 1201-1203 N.W. Taft Avenue, Lawton, Oklahoma (State Exhibit 6), that stated in the cover letter signed by the Respondent that it was an appraisal (State Exhibit 6, page 2), that the report purports to be a Summary Appraisal Report (State Exhibit 6, page 3), that the report contains Certifications and Limiting Conditions as an appraisal report with numerous such references (State Exhibit 6, page 4), and that it contains Appraisers' Certifications including one that the Respondent's analyses, opinions and conclusions were developed and that report were prepared in compliance with USPAP (State Exhibit 6, page 4), which report was admitted without objection as State Exhibit 6.

The Board's Director, Ms. McEntire, identified State Exhibit 7 as the Respondent's work file

he provided (State Exhibit 7) for his appraisal report for the property at 1201-1203 N.W. Taft Avenue, Lawton, Oklahoma, that was admitted as State Exhibit 7 without objection.

Ms. McEntire identified State Exhibit 8 as the subpoenaed documents supplied by Arvest Bank related to the Respondent's appraisal reports consisting of 98 pages (State Exhibit 8), which State Exhibit 8 was admitted without objection. Continuing, Ms. McEntire noted that State Exhibit 8, page 6 was an e-mail from Arvest Bank's Laura Pierce to her that the Respondent in early December 2013 disclosed to Arvest Bank that he was no longer certified at the time he provided his last appraisal to Arvest Bank in early December 2013.

As to State Exhibit 8, page 27, Ms. McEntire pointed out that the document stated on its face that it was an "Appraisal of Real Property", that the Respondent noted in his signed cover letter on page 28 that the Respondent's appraisal was developed and his appraisal report was prepared in accordance with USPAP, and that it was an appraisal report for the real property at 6504 N.W. 96th Street, Oklahoma City, Oklahoma 73162, with an effective date of January 9, 2014, signed by the Respondent on the same day, in which the Respondent stated his opinion of market value to be \$213,700.00 (State Exhibit 8, pages 28-29).

As to the document at State Exhibit 8, page 41, Ms. McEntire noted that while it was labeled as a "Desktop Valuation Summary Appraisal Report" on page 43, that the Respondent noted in his signed cover letter on page 42 that the Respondent's appraisal was developed and the report prepared in accordance with USPAP, and that the document actually was an appraisal report by the Respondent for the real property at 2225 S.W. Oxford Drive, Lawton, Oklahoma 73533, with an effective date of January 10, 2014, signed by the Respondent on the same day, in which the Respondent stated his opinion of market value to be \$199,000.00 (State Exhibit 8, pages 42-44).

As to the document at State Exhibit 8, page 70, Ms. McEntire pointed out that that while it

was labeled as a “Desktop Valuation Summary Appraisal Report” on page 70, that the Respondent noted in his signed cover letter on page 69 that the appraisal was developed and the report prepared in accordance with USPAP, and that the document actually was an appraisal report by the Respondent for the real property at 7375 Debbie Lynn Lane, Norman, Oklahoma 73072, with an effective date of December 17, 2013, signed by the Respondent on the same day, in which the Respondent stated his opinion of market value to be \$18,900.00 (State Exhibit 8, page 70), and that it was through the subpoenaed documents supplied by Arvest Bank (State Exhibit 8) that the Board found this appraisal report of the Respondent and not through any document supplied by the Respondent.

As to the document at State Exhibit 8, page 81, Ms. McEntire pointed out that that it was a report labeled as a “Uniform Residential Appraisal Report” on page 83, that the Respondent noted in his signed cover letter on page 82 that the appraisal was developed and the report prepared in accordance with USPAP, and that the document was an appraisal report by the Respondent for the real property at 723 County Road 1350, Chickasha, Oklahoma 73018, with an effective date of December 3, 2013, signed by the Respondent on the December 6, 2013, in which the Respondent stated his opinion of market value to be \$389,200.00 (State Exhibit 8, page 82 and 88) [previously admitted State Exhibit 10 is another copy of this appraisal report].

The Board’s Director, Ms. McEntire, identified State Exhibit 9 as the Respondent’s appraisal work log for December 2013 (State Exhibit 9), that was due on the 5th day of the following month and that states that “No Appraisals” were completed during the month of December, 2013.

The Board’s Director, Ms. McEntire, identified State Exhibit 11 as the Respondent’s appraisal work log for August 2014 (State Exhibit 11), that was due on the 5th day of the following month, which stated that the Respondent completed two (2) reports he labeled as “evaluations” for

properties in Lawton, Oklahoma. State Exhibit 11 was admitted without objection.

Ms. McEntire identified State Exhibit 12 as an appraisal report by the Respondent for the real property at 1705 N.W. Lindy, Lawton, Oklahoma 73505 (State Exhibit 12), in which report the Respondent identified himself after his signature as a “Staff Evaluator” (State Exhibit 12, page 3) rather than as an appraiser and as an “Inspector” after his signature rather than as an appraiser (State Exhibit 12, page 5), dated August 1, 2014. Continuing, Ms. McEntire noted that the Respondent’s cover letter for his report provided that it was an appraisal report that was prepared and the appraisal itself was developed in accordance with USPAP. State Exhibit 12 was admitted without objection.

When questioned, Ms. McEntire identified State Exhibit 13 as the Respondent’s work file for his appraisal report (State Exhibit 12) for the real property at 1705 N.W. Lindy, Lawton, Oklahoma 73505 (State Exhibit 13). State Exhibit 13 was admitted without objection.

On cross-examination, Ms. McEntire stated that Oklahoma recognizes the Respondent as a State Licensed Appraiser and that he was issued a renewal license in July 2013 in error as it did not list the limitation of the Respondent being non-AQB compliant and ineligible to perform federally related transactions at that time.

When questioned, Ms. McEntire stated that that she assisted in sending out the four (4) Board form letters notifying non-AQB Compliant State Licensed Appraisers of the future consequences of such status in Exhibit Tab C, pages 4-7, that she had no evidence that the Respondent received any of the four letters, and that she believed that the March 1, 2012, letter went out in the mail on March 4, 2012.

In response to a question about State Exhibit 12, Ms. McEntire noted that the document was an appraisal report of real property at 1705 N.W. Lindy, Lawton, Oklahoma 73505, that on page 2 of State Exhibit 12 that the Respondent’s cover letter identified his report as an appraisal report, that

the Respondent provided an estimated property value of \$29,400.00 on page 3 of State Exhibit 12, and that on page 4 of State Exhibit 12, the Respondent does not represent himself to be an appraiser but does represent himself to be a “Staff Evaluator”.

In response to a question about Exhibit Tab C, Ms. McEntire noted that the document at page 16-20 is an appraisal report by the Respondent for real property at 1705 N.W. Lindy, Lawton, Oklahoma 73505, that there is no reference by the Respondent in his cover letter that he signed as an appraiser, that on page 18 of Exhibit Tab C that the Respondent refers to himself as a “Staff Evaluator”, and on page 23 of Exhibit Tab C the Respondent billed Arvest Bank for an evaluation.

On redirect, Ms. McEntire noted as to Exhibit Tab C, page 18 that the Respondent opined as to his estimate of value being \$29,400.00 and that Exhibit Tab C, page 19 defines the term “market value”.

On redirect, Ms. McEntire was handed a copy of USPAP from which she read a portion into the record to which there was no objection. The requested passage was from Advisory Opinion 13 (AO-13), beginning on line 44 regarding the word “evaluation”, as follows:

44 USPAP defines an appraisal as:

45 *(noun) the act or process of developing an opinion of value; an opinion of value.*

46 An evaluation, per the Agencies’ Guidelines, provides an estimate of market value. When that estimate of

47 market value is the opinion of an individual who is required to comply with USPAP, that opinion (i.e., the

48 evaluation) is, per USPAP, an appraisal. Therefore, an appraiser who is required to comply with USPAP must

49 meet both the Agencies’ requirements for an evaluation and the requirements of

STANDARDS 1 and 2 and

50 other applicable parts of USPAP.

At the conclusion of Ms. McEntire's testimony, the State rested.

At this point in the proceedings, the Respondent presented no case for the defense. The Respondent presented no other witnesses in his defense and at no time introduced any additional exhibits into evidence on his own behalf other than previously admitted Exhibit Tab C. While the Respondent handed out a trial notebook label as "Respondent's Exhibits", no exhibit in said trial notebook other than Exhibit Tab C, was ever introduced by the Respondent for admission or actually admitted into evidence herein.

The Respondent timely filed a Request for Oral Argument and both he and his attorney, Daniel Gamino, appeared and presented oral argument before the Board on October 7, 2015.

JURISDICTION

1. The OREAB has the duty to carry out the provisions of the Oklahoma Certified Real Estate Appraisers Act as set forth at Title 59 of the Oklahoma Statutes, §§858-701, *et seq.* and to establish administrative procedures for disciplinary proceedings conducted pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act.

2. The OREAB has promulgated rules and regulations to implement the provisions of the Oklahoma Certified Real Estate Appraisers Act in regard to disciplinary proceedings as set forth at the Oklahoma Administrative Code, §§600:15-1-1 thru 600:15-1-22, including administrative hearings.

3. The Respondent, WALTER M. KING, is a non-AQB compliant state licensed appraiser in the State of Oklahoma, holding certificate number 12517SLA and was first licensed with the Oklahoma Real Estate Appraiser Board on June 30, 2001.

FINDINGS OF FACT

The Board adopts in full the Findings of the Hearing Panel and that the following Facts were proven by clear and convincing evidence:

January 2014 Work Log 14-002

1. The Respondent, WALTER M. KING, is a non-AQB compliant state licensed appraiser in the State of Oklahoma, holding certificate number 12517SLA and was first licensed with the Oklahoma Real Estate Appraiser Board on June 30, 2001.

2. Walter M. King is a non-Appraiser Qualifications Board (AQB) compliant State Licensed Appraiser, and is not eligible to complete appraisals for Federally Related Transactions. Arvest Bank is a federally insured financial institution whose transactions are federally regulated and thus are federally related.

3. As part of his disciplinary probation in another matter (Board Order 13-017 – Complaint 12-055), the Respondent was to submit a work log on the fifth (5th) day of each month, for the preceding month. On his January 2014 work log (State Exhibit 5), which was received on February 3, 2014, the Respondent identified three (3) “desktop evaluations” completed during the month of January.

4. One of the three reports was for a parcel of real property located at 1201-1203 N.W. Taft Avenue, Lawton, Oklahoma (State Exhibit 6). Receipt of this report by the Board demonstrates that the Respondent did in fact perform an appraisal of real property for the purpose of a real estate mortgage finance transaction with Arvest Bank that was a federally related transaction (State Exhibit 6, page 3). In the report, the Respondent acknowledges he appraised the property (State Exhibit 6, pages 2 and 3) and reports that it was completed in

conformance with the Uniform Standards of Professional Appraisal Practice (“USPAP”)(State Exhibit 6, page 4).

5. The Respondent’s work file contains an engagement letter from Arvest Bank (State Exhibit 7) in a federally related transaction which sets out the Scope of Services as “Use-Loan Underwriting, The intended use of this appraisal is for loan underwriting and credit decisions by the Bank...” (State Exhibit 7, page 2). It further requests “an appraisal report” and that said appraisal be performed in compliance with USPAP.

6. Arvest Bank was issued a subpoena by the OREAB requesting documentation related to any appraisal services performed by Respondent for the time period of December 1, 2013, through February 5, 2014 (State Exhibit 8, pages 1-5).

7. On February 26, 2014, responsive documents were received from Arvest Bank in which five (5) appraisal reports were submitted by the Respondent with dates ranging between November 27, 2013, and January 9, 2014. These five (5) appraisal reports were required to be, or were prepared, in conformance with USPAP and/or prepared for federally related mortgage loan transactions for Arvest Bank. These appraisal reports were for properties located at (1) 6504 N.W. 96th Street, Oklahoma City, Oklahoma; (2) 2225 S.W. Oxford Drive, Lawton, Oklahoma; (3) 1201-1203 N.W. Taft Avenue, Lawton, Oklahoma; (4) 7375 Debbie Lynn Lane, Norman, Oklahoma; and (5) 723 County Road 1350, Chickasha, Oklahoma.

8. The Respondent’s work log for the month of December 2013 indicates that “No Appraisals” were completed (State Exhibit 9). However, the 723 County Road 1350, Chickasha, Oklahoma, appraisal report, discovered through documents subpoenaed from Arvest Bank (State Exhibit 8, pages 81-98) and not through the Respondent’s work log as submitted by the

Respondent (State Exhibit 9), has an effective date of December 3, 2013, and was signed on December 6, 2013.

9. The Respondent's appraisal report for 723 County Road 1350, Chickasha, Oklahoma 73018, dated December 6, 2013 (State Exhibit 10), includes a copy of his revised State Licensed Appraiser license with his non-AQB Compliant status listed on the face thereof dated November 14, 2013 (State Exhibit 10, page 18), which revised license the Respondent said he did not receive for two (2) more weeks. The OREAB produced a certified mail receipt signed by the Respondent on November 19, 2013 (State Exhibit 2, page 1), evidencing the fact that the Respondent received his corrected non-AQB Compliant State Licensed Appraiser license (State Exhibit 2, page 3) prior to his acceptance of the 723 County Road 1350, Chickasha, Oklahoma 73018, assignment and knew that he could not do that appraisal report at that time.

10. The Respondent's actions were outside of his authority under his license. The Respondent's December 2013 report of his appraisal activities to the OREAB was misleading.

August 2014 Work Log 14-028

11. On the Respondent's August 2014 work log (State Exhibit 11), which was received by the Board on September 2, 2014, the Respondent identified two (2) "evaluations" as having been completed during the month of August.

12. Upon the receipt of the "evaluation" dated August 1, 2014, for the property located at 1705 N.W. Lindy in Lawton, Oklahoma, the Respondent submitted an appraisal report for real property for the purpose of a federally related real estate mortgage transaction and completed said appraisal report in accordance with USPAP (State Exhibit 12).

13. Further evidence that the August 1, 2014, "evaluation" (State Exhibit 12) was an

appraisal report includes: The cover page of the report is identified as "Appraisal of Real Property" (State Exhibit 12, page 1); Page one of the report is the cover letter to Arvest Bank which states "In accordance with your request we have appraised the above-referenced property. The report of the appraisal is attached. The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report" (State Exhibit 12, page 2); "The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice" (State Exhibit 12, page 2).

14. Despite the foregoing, the Respondent identifies himself as a "staff evaluator" and does not list his state license number (State Exhibit 12, page 3). Accordingly, the Respondent did not disclose that he was a licensed Oklahoma real estate appraiser in rendering an opinion of value through his August 1, 2014, "evaluation".

15. In the "evaluation" report, the Respondent certifies that "I have performed this analysis in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of the Appraisal Foundation and that were in place as of the effective date of this appraisal". The Respondent's August 1, 2014, "evaluation" was in fact an appraisal report based on USPAP Advisory Opinion 13, page A-30, lines 46 through 50 and on his actions in purporting to comply with USPAP in performing his analysis.

15. The Respondent's work file for this assignment, includes an engagement letter from Arvest Bank which states "please upload an electronic copy of your appraisal report..." and "The appraisal invoice must be uploaded as a separate document."

16. In the RFP Section of the Arvest Bank engagement letter, the Purpose of Request is stated as "New Loan" for Arvest Bank which renders this a federally related transaction.

17. The Respondent continued to prepare appraisal reports for federally related financial transactions when he was not authorized to do so.

CONCLUSIONS OF LAW

The Board adopts in the full the Conclusions of Law as determined by the Hearing Panel below:

1. The Respondent has violated 59 O.S. §858-723(C)(6) through 59 O.S. §858- 726, in that the Respondent violated:

A) The Ethics Rule and Conduct Section of the Uniform Standards of Professional Appraisal Practice Ethics Rule;

B) The Competency Rule of the Uniform Standards of Professional Appraisal Practice.

2. The Respondent has violated 59 O.S. §858-723(C)(9): "Willfully disregarding or violating any of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

3. The Respondent has violated 59 O.S. §858-723(C)(13), in that Respondent violated 59 O.S. §858-732(A)(1): "An appraiser must perform ethically and competently and not engage in conduct that is unlawful, unethical or improper. An appraiser who could reasonably be perceived to act as a disinterested third party in rendering an unbiased real property valuation must perform assignments with impartiality, objectivity and independence and without accommodation of personal interests."

4. The Respondent has violated 59 O.S. §858-723(C)(5): "An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person."

FINAL ORDER

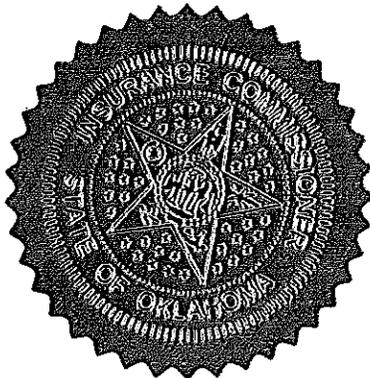
WHEREFORE, having adopted in full the Findings of Fact and Conclusions of Law

entered by the Disciplinary Hearing Panel, the Board modifies its Final Order as follows:

1. The appraiser credential of the Respondent Walter M. King shall be **SUSPENDED** for a period of **ONE (1) YEAR** from the date that any final order is entered in this matter plus a period of thirty (30) days after the Respondent is notified of the final agency order either personally or by certified mail, return receipt requested.

THE BOARD WISHES TO ADVISE THE RESPONDENT THAT HE HAS THIRTY (30) DAYS FROM THE DATE THE RESPONDENT IS NOTIFIED OF THIS ORDER, EITHER PERSONALLY OR BY CERTIFIED U.S. MAIL, RETURN RECEIPT REQUESTED, TO APPEAL THIS ORDER WITH THE APPROPRIATE DISTRICT COURT.

IT IS SO ORDERED this 7th day of October, 2015.



By: *Bryan Neal*
BRYAN NEAL, Assistant Attorney General *and*
Counsel to the Board

By: *Eric M. Schoen*
ERIC SCHOEN, Board Secretary

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that on the 28th day of October, 2015 a true and correct copy of the above and foregoing Board's Decision as to Disciplinary Hearing Panel Recommendation was served by First Class - Certified Mail, Return Receipt Requested to:

Daniel J. Gamino
Daniel J. Gamino & Associates, P.C.
Jamestown Office Park, North Building
3035 NW 63rd Ave., Suite 214
Oklahoma City, Oklahoma 73116

7015 1520 0003 4174 1249

Walter M. King
PO Box 112
Chickasha, Oklahoma 73023

7015 1520 0003 4174 1232

and that copies were forwarded by first class mail to the following:

Alan Schmook, Hearing Panel Member
3555 N.W. 56th Street
Oklahoma City, Oklahoma 73112

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CHRISTINE MCENTIRE