



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

January 7, 2011
Date

222
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting December 3, 2010 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 December 28, 2010 at 11:30 a.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on December 28, 2010. The addendum to the agenda was posted in the main entrance to the offices of the Oklahoma Insurance Department on January 5, 2011 at 9:00 a.m., and was e-mailed or hand-delivered to the offices of the Board members and posted to the REAB website on January 5, 2011. The agenda and addendum are 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;
Betty J. Cagle;
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; Susan Dobbins, counsel for Commissioner Kim Holland; Bryan Neal, Assistant Attorney General; Shannon N. Gabbert, Board Secretary; and Christine McEntire, Legal Secretary. Others present were: John Rafter; Christopher Streich; Brent Perry; Tony Hensley; Joe Garnand; Hal Hartsock; Brandon Witt; Jade Hines; Brett Robinson, Legislative Liaison; Sue Wycoff, Board Prosecutor; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Wheeler moved that the reading of the minutes of the December 3, 2010 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
	Ms. Cagle	Yes
	Mr. Wheeler	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.

Board member Kim Allen 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 October 31, 2010. (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:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

B. Discussion and possible action regarding approval of renewal applications due February 28, 2011 and authority to issue certificates. (Exhibit D) A motion was made by Ms. Fisher 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:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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 E) A motion was made by Mr. Allen and seconded by Ms. Barker 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. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN 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 Ms. Barker and seconded by Mr. Snyder 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. Allen	Yes
Ms. Barker	Yes
Mr. Snyder	Yes
Ms. Fisher	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

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

2(B) A motion was made by Mr. Allen and seconded by Mr. Wheeler to allow staff to be given authority to issue a reciprocal license to the individual listed in agenda item IV B 2 (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Allen	Yes
Ms. Barker	Yes
Mr. Snyder	Yes
Ms. Fisher	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

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

2(C) A motion was made by Ms. Barker and seconded by Mr. Snyder to approve the application for reinstatement 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:

Mr. Allen	Yes
Ms. Barker	Yes
Mr. Snyder	Yes
Ms. Fisher	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

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

2(D) A motion was made by Mr. Allen and seconded by Ms. Barker to approve the applications for upgrade for the individuals listed in Agenda Item IV B 2 (D). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Allen	Yes
Ms. Barker	Yes
Mr. Snyder	Yes
Ms. Fisher	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

THE RESULT WAS SEVEN 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 G)

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

ROLL CALL VOTE:

Mr. Allen	Yes
Ms. Barker	Yes
Mr. Snyder	Yes
Ms. Fisher	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

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

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

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

THE RESULT WAS SEVEN 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.

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.** No action.

V. **DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF PERMANENT RULES PERTAINING TO APPRAISAL MANAGEMENT COMPANIES TO BE CODIFIED AS OAC 600:30 AND 600:35, TO INCLUDE CONDUCT OF PUBLIC HEARING.** (Exhibit H)

The Chair declared the public hearing on the proposed rules to be open and asked for any verbal comments from those assembled. There were none.

A motion was made by Ms. Barker and seconded by Mr. Snyder to adopt permanent rules OAC 600:30 and 600:35 as written. The Chair ordered a roll call vote with the following results:

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

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

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

VI. **DISCUSSION AND POSSIBLE ACTION REGARDING NOTICE AND ORDER TO APPEAR AND NOTICE TO SHOW CAUSE DATED NOVEMBER 8, 2010 IN THE MATTER OF TONY M. HENSLEY, ORDER NUMBER 09-027 AND 09-027A, COMPLAINT NUMBER 08-076 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit I)

Ms. Barker made a motion for the Board to enter executive session. The motion was seconded by Mr. Snyder.

Both motions were withdrawn in order to discuss the combination of Agenda items VI and VII.

Ms. Barker made a motion for the Board to enter executive session to discuss Agenda items VI and VII concurrently. The motion was seconded by Mr. Snyder. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Recuse
	Mr. Caesar	Yes

THE RESULT WAS SIX 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: Lee R. Caesar Jr.;
Patti L. Fisher;
Betty J. Cagle;
Kim N. Allen;
Jana S. Barker; and
Harold J. Snyder III.

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

A motion was made by Ms. Fisher and seconded by Mr. Snyder to take no action on Agenda items VI and VII. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	No
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Recuse
	Mr. Caesar	Yes

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

VII. DISCUSSION AND POSSIBLE ACTION REGARDING NOTICE AND ORDER TO APPEAR AND NOTICE TO SHOW CAUSE DATED NOVEMBER 17, 2010 IN THE MATTER OF TONY M. HENSLEY, ORDER NUMBER 09-027 AND 09-027A, COMPLAINT NUMBER 08-076 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (See Agenda item VI)

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

Mr. Caesar recused himself from consideration of Agenda Item VIII due to personal acquaintance with the Respondent.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF WILLIAM S. MCGARRY, COMPLAINT NUMBER 09-133 TO INCLUDE ORAL ARGUMENT AND ANY ASSOCIATED MATTERS OR MOTIONS. Agenda Item VIII tabled to February 4, 2011 Board meeting.

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

IX. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A CONSENT ORDER IN THE MATTER OF KRISTA J. DICKSON, COMPLAINT NUMBER 10-010 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit J)

A motion was made by Ms. Fisher and seconded by Ms. Barker to accept the Consent Order as presented. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recuse
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

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

X. **DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A CONSENT ORDER IN THE MATTER OF CHARLES A. BOWLING, COMPLAINT NUMBER 10-008 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit K)

A motion was made by Ms. Fisher and seconded by Ms. Barker to accept the Consent Order as presented. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recuse
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

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

XI. **DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF INDIVIDUALS TO EDUCATION, EXPERIENCE AND TESTING COMMITTEE.** (Exhibit L)

A motion was made by Mr. Wheeler and seconded by Ms. Fisher to accept the appointments as presented. The Chair ordered a roll call vote with the following results:

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

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

XII. **DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF FORMS PERTAINING TO APPRAISAL MANAGEMENT COMPANIES.** (Exhibit M)

A motion was made by Ms. Barker and seconded by Ms. Fisher to approve the application forms as presented. The Chair ordered a roll call vote with the following results:

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

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

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING FILING OF TEMPORARY AND PERMANENT INJUNCTION IN THE CHARLIE BISHOP DBA OK ADVANTAGE REAL ESTATE, WWW.OKLANDMAN.COM. (Exhibit N)

A motion was made by Ms. Barker and seconded by Mr. Wheeler to give staff authority to do whatever is necessary. Both the motion and the second were amended to include the verbiage "to bring Mr. Bishop into compliance within the parameters our laws." The Chair ordered a roll call vote with the following results:

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

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

XIV. DISCUSSION AND POSSIBLE ACTION REGARDING ATTENDANCE OF BOARD REPRESENTATIVES AT THE AARO SPRING CONFERENCE.

A motion was made by Mr. Caesar and seconded by Mr. Wheeler to authorize seven (7) individuals to attend the AARO/ASB/SRAG conferences. The Chair ordered a roll call vote with the following results:

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

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

XV. DISCUSSION AND POSSIBLE ACTION REGARDING ISSUING AN INVITATION TO BID FOR CONTRACT FOR LEGISLATIVE LIAISON FOR FY 2012 WITH FOUR OPTIONS TO RENEW FOR ONE ADDITIONAL YEAR.

A motion was made by Ms. Fisher and seconded by Mr. Allen to put out a bid for a new legislative liaison. The Chair ordered a roll call vote with the following results:

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

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

XVI. NEW BUSINESS. No new business.

XII. ADJOURNMENT.

The Board adjourned by general consent.

OFFICIAL MINUTES

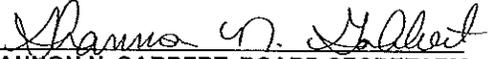
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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 N.



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



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