



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

October 7, 2011

Date

230

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 7, 2011 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 September 29, 2011 at 1:00 p.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on September 29, 2011. 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: John D. Doak;  
Lee R. Caesar Jr.;  
Patti L. Fisher;  
Betty J. Cagle;  
Jana S. Barker; and  
Harold J. Snyder III.

Board members excused were: P. Lane Wheeler, Board Member;  
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: Christine McEntire, Interim Director; Natasha Scott, counsel for Commissioner John D. Doak; Bryan Neal, Assistant Attorney General; and Shannon N. Gabbert, Board Secretary. Others present were: Mike Cordell; Johnny Miller; Mariah Miller; Rod Wilson; Kim Ritchie; Jared Sahlsteen; Paul Wilkening; Dr. Rick Farmer; Jenny Tidwell; Neal Fenochietti; Sue Wycoff, Board Prosecutor; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Ms. Fisher moved that the reading of the minutes of the September 9, 2011 session be waived and approved as published and distributed. The motion was seconded by Mr. Snyder. 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. Caesar	Yes

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

At this point, Agenda Item X was taken out of order, by order of the Chair.

- X. **RECEIVE REMARKS PERTAINING TO THE BI-ANNUAL FIELD REVIEW FROM REPRESENTATIVES OF THE APPRAISAL SUBCOMMITTEE OF THE FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL AND POSSIBLE DISCUSSION.**

Jenny Tidwell gave an oral presentation regarding ASC preliminary review findings.

At this point, Agenda Item V was taken out of order, by order of the Chair.

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

V. DISCUSSION AND POSSIBLE ACTION REGARDING DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF MARIAH M. MILLER, COMPLAINT NUMBER 10-087, TO INCLUDE ORAL ARGUMENT AND ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit C)

Ms. Fisher made a motion to enter executive session. The motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FOUR 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: John D. Doak;  
Lee R. Caesar Jr.;  
Patti L. Fisher;  
Betty J. Cagle; and  
Jana S. Barker.

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

Ms. Barker made a motion to accept the Hearing Panel Recommendation as presented with regard to the Findings of Fact and Conclusions of Law, modifying to strike the first paragraph associated with cost and retain the remainder as is. The motion was seconded by Mr. Caesar. The Chair ordered a roll call vote with the following results:

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

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

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

VI. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF JERRY R. BURROWS, COMPLAINT NUMBER 10-096, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit D)

Ms. Fisher made a motion to accept the Consent 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. Snyder	Recuse
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

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

VII. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF JACK N. TRESNER, COMPLAINT NUMBER 10-101, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit E)

Ms. Fisher made a motion to accept the Consent 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. Snyder	Recuse
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

At this point, the Session returned to regular order.

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, 2011, in addition to one suspension for non-payment of annual fees due June 30, 2011.** (Exhibit F) A motion was made by Ms. Fisher and seconded by Mr. Snyder 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. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE 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, 2011 and authority to issue certificates.** (Exhibit G) A motion was made by Ms. Fisher and seconded by Mr. Snyder 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. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

C. **Discussion and possible action regarding approval of original certificates of registration for appraisal management companies.** (Exhibit H) A motion was made by Ms. Fisher and seconded by Mr. Snyder to issue original certificates to the companies listed in Agenda Item III, Director's Report C. 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. Caesar	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 I) A motion was made by Ms. Barker 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. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	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 J)**

**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:	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

**2(B)** A motion was made by Ms. Barker and seconded by Ms. Cagle 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. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE 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 upgrade 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. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Caesar	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. No action.**

**C. Legislation and Rules Committee. No 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.**

Ms. Fisher recused herself from consideration of Agenda Item IV D 3 due to Probable Cause Committee service.

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

Following discussion of Grievance 11-014, a motion was made by Ms. Barker that this matter be forwarded to prosecution for 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. Snyder	Yes
	Ms. Fisher	Recuse
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 11-051, a motion was made by Ms. Barker that this matter be forwarded to prosecution for 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. Snyder	Yes
	Ms. Fisher	Recuse
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 11-054, a motion was made by Ms. Barker that the grievance be adopted as a formal complaint and forwarded to a prosecutor for 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. Snyder	Yes
	Ms. Fisher	Recuse
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance 11-065, a motion was made by Ms. Barker that the matter be closed and no further action be taken. Mr. Snyder seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

Following discussion of Grievance A11-002, a motion was made by Ms. Barker that the grievance be adopted as a formal complaint and forwarded to a prosecutor for 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. Snyder	Yes
	Ms. Fisher	Recuse
	Ms. Cagle	Yes
	Mr. Caesar	Yes

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

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSALS FOR POSSIBLE LEGISLATIVE ACTION IN THE NEXT LEGISLATIVE SESSION TO AMEND THE OKLAHOMA CERTIFIED REAL ESTATE APPRAISERS ACT, INCLUDING, BUT NOT LIMITED TO THE BILLS PENDING IN CONFERENCE FROM THE PRIOR LEGISLATIVE SEESION. (Exhibit L)

Ms. Barker made a motion to readdress the two bills already in committee and to draft a third bill, which is to be the priority, solely addressing raising the AMC fees, allowing it to automatically follow any future potential changes. The motion was seconded by Mr. Snyder. 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. Caesar	Yes

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

IX. DISCUSSION AND POSSIBLE ACTION REGARDING ONLINE PUBLIC ACCESS TO APPRAISER'S CREDENTIAL NUMBER AND BUSINESS CONTACT INFORMATION VIA THE OKLAHOMA INSURANCE DEPARTMENT WEBSITE.

Ms. Fisher made a motion to allow staff to post and regularly update an appraiser listing on the OID website. The motion was seconded by Mr. Snyder. 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. Caesar	Yes

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

XI. NEW BUSINESS. No new business.

XII. ADJOURNMENT.

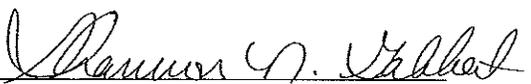
The Board adjourned by general consent.

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 L.

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

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