



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

November 4, 2011

Date

231

Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting November 4, 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 October 27, 2011 at 2:30 p.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on October 27, 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: Lee R. Caesar Jr.;  
Patti L. Fisher;  
Betty J. Cagle;  
P. Lane Wheeler;  
Kim N. Allen; and  
Harold J. Snyder III.

Board members excused were: John D. Doak, Chairperson;  
Jana S. Barker, 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; Mark Willingham, counsel for Commissioner John D. Doak; Bryan Neal, Assistant Attorney General; and Shannon N. Gabbert, Board Secretary. Others present were: Mike Cordell; Brett Robinson, Legislative Liaison; Sue Wycoff, Board Prosecutor; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Allen moved that the reading of the minutes of the October 7, 2011 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:	Mr. Allen	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.**

**DIRECTOR'S REPORT.**

Following a short discussion with the Director regarding acquisition of the 7-Hour USPAP Update course manual for all committee and Board members, the Vice-Chairperson called for a vote.

A motion was made by Mr. Allen and seconded by Ms. Fisher to obtain the most current 7-Hour USPAP Update course manual for all committee members and Board members. The

Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	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.

**A. Discussion and possible action regarding suspension of individuals for non-payment of annual fees due August 31, 2011.** (Exhibit C) A motion was made by Mr. Allen and seconded by Ms. Fisher 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
	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.

**B. Discussion and possible action regarding approval of renewal applications due December 31, 2011 and authority to issue certificates.** (Exhibit D) A motion was made by Mr. Allen 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:	Mr. Allen	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.

**C. Discussion and possible action regarding approval of original certificates of registration for appraisal management companies.** (Exhibit E) 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:	Mr. Allen	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.

**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 F) A motion was made by Mr. Allen 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:	Mr. Allen	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.

**2. Discussion and possible action regarding approval or disapproval of various applications received and authority to issue certificates. (Exhibit G)**

**2(A)** A motion was made by Mr. Allen 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
	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.

**2(B)** A motion was made by Mr. Allen and seconded by Mr. Wheeler 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:	Mr. Allen	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.

**2(C)** A motion was made by Mr. Allen and seconded by Mr. Wheeler 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:	Mr. Allen	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.

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

**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.**

A motion was made by Ms. Fisher that, effective December 2011, Lee Caesar Jr. take over as chair of the Probable Cause Committee; that Jimmie Burton and Don Justice retain their current positions; and that Tim Wolzen be replaced by Jerry Jones from Pottawatomie County. The motion was seconded by Mr. Wheeler. The Chair ordered a roll call vote with

the following results:

ROLL CALL VOTE:	Mr. Allen	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.

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.

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 JEFFREY D. PHILLIPS AND ZACHARY A. PHILLIPS; COMPLAINT NUMBER 10-102, TO INCLUDE ORAL ARGUMENT AND ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit H)

Ms. Fisher made a motion to accept the Hearing Panel Recommendation as presented. Mr. Wheeler seconded the motion. After a short discussion regarding the recommendation, both motions were withdrawn.

Mr. Caesar made a motion to accept the Hearing Panel Recommendation as presented and to adopt the Findings of Fact and Conclusions of Law, amending to strike item one (1) and revise item three (3) under Recommended Discipline to include language that states that reports and work files will be specifically reviewed for geographic competency with the appropriate data sources for those areas and that membership to the appropriate data sources in the area be required. The motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

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

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

VI. DISCUSSION AND POSSIBLE ACTION AS TO WHETHER OR NOT TO MODIFY STAFF PROCEDURES TO ALLOW RESPONDENTS THE OPPORTUNITY TO RESPOND TO STAFF OR PCC GENERATED GRIEVANCES PRIOR TO SUBMISSION AND REVIEW BY THE PROBABLE CAUSE COMMITTEE. No action.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD ORDER 11-017 IN THE MATTER OF TONY M. HENSLEY, COMPLAINT NUMBER 11-003; AND BOARD ORDER 09-027(A) IN THE MATTER OF TONY M. HENSLEY, COMPLAINT NUMBER 08-076, WITH RESPECT TO THE MATTER OF UNPAID FINES AND COSTS BY AN INACTIVE APPRAISER. (Exhibit I)

Mr. Allen made a motion to pursue the matter. The motion was seconded by Mr. Snyder. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	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.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD ORDER 08-022 IN THE MATTER OF GORDON COOK, COMPLAINT NUMBER 07-003, WITH RESPECT TO THE MATTER OF UNPAID FINES AND COSTS BY AN INACTIVE APPRAISER. (Exhibit J)

Ms. Fisher made a motion that the file be closed without further action. The motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	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.

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

IX. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF G. JODIE WARE, COMPLAINT NUMBER 10-103, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit K)

Ms. Fisher made a motion to issue a Letter of Warning, that the letter be labeled a non-disciplinary action, and that the file be closed without further action. The motion was seconded by Mr. Wheeler. The Chair ordered a roll call vote with the following results:

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

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

X. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF RULES LIAISON AND ATTESTATION OFFICER PURSUANT TO OAC 655:10.

Mr. Allen made a motion to appoint Christine McEntire to the position of rules liaison and attestation officer and that Shannon Gabbert be appointed her alternate. The motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	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.

XI. NEW BUSINESS. No new business.

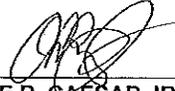
XII. ADJOURNMENT.

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 K.



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



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