

**OKLAHOMA REAL ESTATE APPRAISER BOARD
STATE OF OKLAHOMA**

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OKLAHOMA INSURANCE DEPT.

MAR 01 2005
Real Estate Appraisal Board

In the Matter of **Devin R. Gordon,**

Respondent.

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Order No. 05-001
Complaint No. 04-068

CONSENT ORDER

This matter comes on for hearing before the Oklahoma Real Estate Appraiser Board (Board) on February 4, 2005. The Board appears by and through its attorney, Assistant Attorney General Joann Stevenson, and Respondent, Devin R. Gordon, appears not.

The Board and Respondent hereby agree to the following Agreed Findings of Fact, Agreed Conclusions of Law, and Final Consent Order. The Respondent has been advised of his right to contest the allegations against him, to cross-examine witnesses, and to present witnesses and evidence in Respondent's defense. The Respondent hereby knowingly and voluntarily waives these rights.

AGREED FINDINGS OF FACT

The Board and Respondent consent to the following Agreed Findings of Fact in settlement of this matter:

1. That on or about June 8, 2004, Respondent conducted an appraisal on the property located at 1944 Olde School Road, Edmond, Oklahoma, prepared a report of that appraisal, and submitted that report to Wells Fargo Home Mortgage, Oklahoma City, Oklahoma.
2. That in the above-referenced summary appraisal report, Respondent included three comparable sales. All three of those comparable sales were in additions different from and more costly than the subject property.
3. That all three of the comparables included amenities not listed by the Respondent, such as swimming pools, cathedral ceilings etc. which made them more expensive homes than the subject property. Respondent did not make appropriate adjustments to the value of the comparables to reflect the differences in amenities.
4. That Respondent included photographs of three comparables in the summary appraisal report, but none of the three photographs he included were, in fact, photographs of the actual houses located at the address of the comparables. All three photographs were of houses other than the actual comparables.
5. That the diagram of the subject property that Respondent included in the summary appraisal report is incorrect in that it contains enlarged measurements that make the house appear larger than it actually is.

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MAR 01 2005

Real Estate Appraiser Board
State of Oklahoma

AGREED CONCLUSIONS OF LAW

The Board and Respondent consent to the following Agreed Conclusions of Law in settlement of this matter:

That Respondent's conduct as alleged above is in violation of the following:

1. 59 O.S. § 858-723(A)(5), (7) and (8).
2. 59 O.S. §858-723(A)(6) by violation of:
 - a. Conduct Section, Ethics Rule, USPAP 2004 Edition.
 - b. Standard 1 and Standards Rules 1-1(a), 1-1(c), and 1-4(a).
 - c. Standard 2 and Standards Rules 2-1(a), and 2-3.
3. 59 O.S. § 858-732A.1.

FINAL CONSENT ORDER

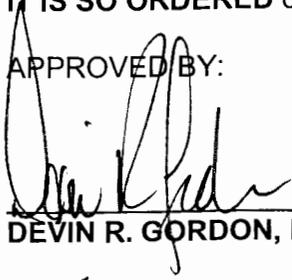
Based on the foregoing, the Board and Respondent consent to the issuance of the following Order in settlement of this matter:

1. That Respondent waives any appeals of this order, which shall constitute a final decision effective upon filing with the Board;
2. That Respondent agrees that his license, Oklahoma Appraiser certificate number 12408SLA, will be suspended for a period of six (6) months. During this six month period, Respondent shall not perform or sign any appraisals or appraisal reports. The six month period will commence on the date the Board receives Respondent's surrendered license. The Board will inform Respondent of that date of receipt. During the six months suspension, the conditions set out in OAC 600:15-1-15 shall apply.
3. That during the period of his suspension or of his supervised practice as set out below, Respondent will successfully complete the following corrective education courses, none of which may be submitted for credit as continuing education for the purpose of license renewal:
 - a) the 15 hour National Uniform Standards of Professional Appraisal Practice Course;
 - b) a course covering American National Standards Institute (ANSI) Standard Z-765;
and
 - c) a course similar ot the NAIFA Course "Is the Comparable Comparable" or a 30 hour course in market data research or appraisal practices.
4. That Respondent agrees that upon successful completion of the six month suspension period, Respondent's license will be restored with conditions. Those conditions require that for the next following six months Respondent may perform and report real estate appraisals only under the supervision of an Oklahoma certified real estate appraiser. This supervision shall be in the manner prescribed by OAC 600:10-1-16. All appraisals performed and appraisal reports written

and signed by Respondent will be undertaken with the approval and under the guidance of the supervising appraiser, and appraisal reports must be signed by the supervising appraiser as supervisor. The supervising appraiser selected must be a qualified supervising appraiser as defined by the Board, and may not be Loyal Plumb of Tahlequah.

IT IS SO ORDERED on this 4th day of February, 2005.

APPROVED BY:



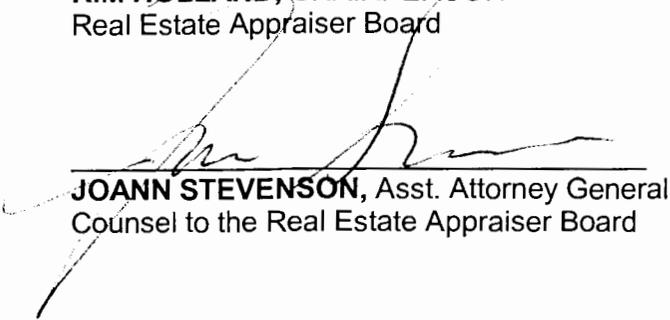
DEVIN R. GORDON, RESPONDENT

02/24/2005
Date



KIM HOLLAND, CHAIRPERSON
Real Estate Appraiser Board

3-1-05
Date



JOANN STEVENSON, Asst. Attorney General
Counsel to the Real Estate Appraiser Board

3-1-05
Date

CERTIFICATE OF MAILING

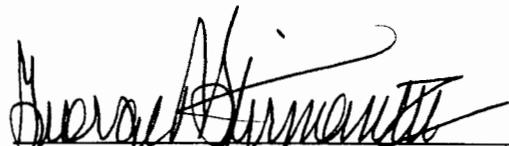
On this 1st day of March 2005, a true and correct copy of the above and foregoing Order was mailed, by certified mail with return receipt requested, to:

Respondent:
Devin R. Gordon
c/o K. Ellis Ritchie
Ritchie Law Firm
PO Box 246
Pryor, Oklahoma 74362

Certified Receipt Number:
7001 0320 0004 2363 8032

and a true and correct copy off the above and foregoing order was mailed by regular mail to:

Complainant:
Jimmie D. Davis
1401 S. Sunnyslane Rd
Del City, OK 73115



GEORGE R. STIRMAN III, Director
Oklahoma Real Estate Appraiser Board



OKLAHOMA REAL ESTATE APPRAISER BOARD

OKLAHOMA INSURANCE DEPARTMENT

KIM HOLLAND, CHAIRPERSON
LEE R. CAESAR JR., VICE-CHAIRMAN
TRAVIS L. PARSONS, MEMBER
JIMMIE R. BURTON, MEMBER

JANA S. BARKER, MEMBER
HAROLD J. SNYDER III, MEMBER
PATTI L. FISHER, MEMBER
JAMES W. HOYT, MEMBER

March 1, 2005

Devin R. Gordon
c/o K. Ellis Ritchie
Ritchie Law Firm
Post Office Box 246
Pryor, Oklahoma 74362

RE: Order Number 05-001
In the Matter of Devin R. Gordon

Dear Mr. Gordon:

Order Number 05-001 has been signed by all parties and a copy of the signed document is transmitted herewith. I have also received your certificate, accordingly your period of suspension will be deemed to have begun today, March 1, 2005. The order requires a six month suspension, which would terminate on September 1, 2005. Your certificate will be returned to you upon your request, contingent upon receipt of course completion certificates for the courses required during your suspension, and receipt of an REA Form 8 establishing a supervisor-trainee relationship as required by the order.

I am providing you with a copy of the portion of the Board's rules dealing with suspension. This is to assist you in understanding exactly what suspension means and what conduct is expected from you during this six month period.

600:15-1-15. Conditions during suspension

(a) When the Board orders the suspension of a Trainee, State Licensed, State Certified Residential or State Certified General Appraiser, the suspended appraiser shall be subject to the following terms and conditions during the suspension period:

- (1) Immediately following the final order of suspension, the suspended appraiser may not be identified as a Trainee, State Licensed, State Certified Residential or State Certified General Appraiser. All reference to certification/licensure must be immediately removed from all letterheads, business cards, appraisal report covers and other printed materials under the reasonable control of the appraiser.
- (2) Promptly following the final order of suspension, the suspended appraiser shall return his/her license or certificate to the Board.
- (3) The term of suspension shall begin on the date the license or certificate and pocket card are received by the Director.

(b) Where the appraiser is identified as a Trainee, State Licensed, State Certified Residential or State Certified General in trade journals, professional directories, telephone books and industry listings, the appraiser shall promptly notify all such publications that he/she is now suspended and request future publications, listings and directories to not identify him/her as a Trainee, State Licensed, State Certified Residential or State Certified General Appraiser during the suspension period. A copy of such notification shall also be provided to the Board.

E-MAIL: REAB@INSURANCE.STATE.OK.US
MAILING ADDRESS: P.O. BOX 53408 - OKLAHOMA CITY, OK 73152-3408 - (405) 521-6636 - TOLL FREE (IN STATE) 1-800-522-0071
PHYSICAL ADDRESS: 2401 NW 23, SUITE 28 - OKLAHOMA CITY, OK 73107 - FAX: (405) 522-6909

GORDON, Devin R.

March 1, 2005

If you have questions, or if I may be of assistance in any way, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "George R. Stirman III". The signature is stylized with a large, sweeping initial "G" and a long horizontal flourish extending to the right.

GEORGE R. STIRMAN III, Director
Real Estate Appraiser Board