

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

In the Matter of Peggy S. Thompson)	
)	Order #06-002
Disciplinary Hearing)	Complaint #05-049
Respondent.)	

**BOARD'S DECISION ON DISCIPLINARY
HEARING PANEL RECOMMENDATION**

ON THE 3rd day of March, 2006, the above numbered and entitled cause came on for hearing before the Oklahoma Real Estate Appraiser Board (the "Board"). The Disciplinary Hearing Panel (the "Panel") making the recommendation consisted of three members, Donald H. Justice, Rusty R. Hartsell, and John R. Gurley. Donald H. Justice was elected and served as Hearing Panel Chairman. Said panel was represented by the Board's attorney, Assistant Attorney General Joann Stevenson. The case was prosecuted by the Board's prosecutor, Stephen L. McCaleb. Respondent appeared pro se after having been mailed a copy of the Recommendation of the Hearing Panel by certified mail with return receipt requested pursuant to the Oklahoma Real Estate Appraiser Act, 59 O.S. § 858-718, and the Oklahoma Administrative Procedures Act, 75 O.S. §§250-323.

The Board, with Mr. Caesar, Mr. Hoyt, Mr. Snyder, and Mr. Wheeler recusing; Commissioner Holland and Ms. Barker absent; and Mr. Kim N. Allen, Mr. Rick L. Carlile, and Ms. Margaret C. Leatherwood appointed by the Governor as members pro-tempore' for the purpose of hearing this matter, having received the Panel's recommendations, makes the following Order adopting in part, and amending in part, the Panel's Recommendation:

JURISDICTION

1. That the Oklahoma Real Estate Appraiser Board has jurisdiction of this cause, pursuant to the provisions of the Oklahoma Real Estate Appraiser Act, 59 O.S. § 858-700 *et seq.*
2. That the proceedings were conducted in accordance with the Oklahoma Real Estate Appraiser Act, 59 O.S. § 858-700 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S., § 301-323.

3. That the Respondent is a Trainee Appraiser in the State of Oklahoma holding license number 90724TRA.

FINDINGS OF FACT

Respondent stipulated to the following facts:

1. That on April 6, 1978, Respondent entered into a plea of guilty to the felony crime of: forgery all in violation of §6-2-101 of the Wyoming Statutes, for which the Second Judicial District court of Wyoming issued a judgment and sentence on the same requiring that Respondent be incarcerated no less than two (2) and no more than five (5) years.

2. That due to the plea agreement, Respondent admits being incarcerated for “seven hundred twenty seven days” in the Wyoming Women’s center located in Evanston Wyoming.

3. That on or about February 16, 2005, Respondent made application to the Oklahoma Real Estate Appraiser Board for licensure as a Trainee Appraiser.

4. In said application, Respondent answered "no" to the question: “Have you ever been convicted of, including a conviction based upon a plea of guilty or nolo contendere, a felony?”

The following facts were not stipulated to, but are found by the panel:

1. Respondent admitted that she should have answered question #12 in the affirmative. Her character witness, Dan Fisher, a minister, also testified that he thought the answer she provided was a “lie.”

2. Respondent offered evidence in mitigation from a variety of sources that the panel found credible and takes into account with respect to the disciplinary recommendation.

CONCLUSIONS OF LAW

That such conduct by the Respondent is in violation of: 59 O.S. §858-723(A)(1): “Procuring or attempting to procure a certificate pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act by knowingly making a false statement, knowingly submitting false information, refusing to provide complete information in response to a question in an application for certification or through any form of fraud or misrepresentation.”

RECOMMENDED DISCIPLINE

The Board adopts the Panel's Findings of Facts and Conclusions of Law as set forth above and sets forth the following order.

1. That Respondent's Trainee Appraiser certificate be revoked; and further,
2. that in light of the mitigating evidence from numerous credible sources and in light of the fact that the felony occurred twenty seven years ago when Respondent was very young, all indicating that Respondent is likely to practice ethically and responsibly in the future, the panel finds that this revocation should be deferred for a period thirty six (36) months, and if there is no formal complaint filed by the Board within that period, that this matter shall be dismissed.

THE BOARD WISHES TO ADVISE THE RESPONDENT THAT SHE HAS THIRTY (30) DAYS TO APPEAL THIS ORDER WITH THE APPROPRIATE DISTRICT COURT.

IT IS SO ORDERED this 3rd day of March 2006.

KIM HOLLAND, Chairperson
Real Estate Appraiser Board

JOANN STEVENSON
Assistant Attorney General
Counsel to the Board

CERTIFICATE OF MAILING

I, George R. Stirman III, hereby certify that a true and correct copy of the above and foregoing Board's Decision on Disciplinary Hearing Panel Recommendation was mailed by certified mail, return receipt requested, on the _____th day of March, 2006 to:

Peggy S. Thompson
1004 Regal Road
Yukon, OK 73099

**CERTIFIED NUMBER
7001 0320 0004 0219 8052**

and that copies were mailed by first class mail to:

John R. Gurley, Hearing Panel Member, 2207 N. O St, Blackwell, OK 74631;
Rusty R. Hartsell, Hearing Panel Member, PO Box 542, Weatherford, OK 73096;
Donald H. Justice, Hearing Panel Member, PO Box 988, Watonga, OK 73772; and
Joann Stevenson, Asst Atty General, 4545 N Lincoln Blvd, Ste 260, Oklahoma City, OK 73105.

GEORGE R. STIRMAN III, Director
Real Estate Appraiser Board