



5. Respondent chose twelve comparables. The days on market of the comparables are as follows:

#1:	362
#2:	64
#3:	49
#4:	17
#5:	253
#6:	622
#7:	12
#8:	45
#9:	459
#10:	450
#11:	213
#12:	182

Despite the days on the market of his comparables, Respondent reports that a typical marketing time for the area is 3-4 months, without providing adequate explanation.

6. The lakefront site for Respondent's comparable number two sold on March 14, 2008 for \$153,000. It then, after the construction of a residential property, sold on February 23, 2010 for \$1,500,000; and again was sold on December 6, 2010 for \$1,600,000 after only eight months. Despite this, Respondent reported that comparable number two was new construction.

7. Respondent used comparables outside of his defined neighborhood and failed to adequately explain or justify his reasons.

8. Some of the comparables chosen by Respondent had significant differences in site size. Respondent failed to make site adjustments and did not adequately explain why.

#### AGREED CONCLUSIONS OF LAW

1. That Respondent has violated 59 O.S. § 858-723(C)(6) through 59 O.S. §858-726, in that Respondent violated:

A) The Competency Rule of the Uniform Standards of Professional Appraisal Practice;

B) Standard 1, Standards Rules 1, 1-1, 1-4, and 1-6; Standard 2, Standards Rules 2-1, and 2-2 of the Uniform Standards of Professional Appraisal Practice. These include the sub sections of the referenced rules.

2. That Respondent has violated 59 O.S. § 858-723(C)(7): "Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal."

3. That Respondent has violated 59 O.S. § 858-723(C)(8): "Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal."

#### CONSENT AGREEMENT

The Respondent, by affixing his signature hereto, acknowledges:

1. That Respondent has been advised of his right to seek the advice of counsel prior to signing this document, and has in fact retained counsel;

2. That Respondent possesses the following rights, including but not limited to:

a. The right to a formal fact finding hearing before a disciplinary panel of OREAB;

b. The right to a reasonable notice of said hearing;

c. The right to be represented by counsel;

- d. The right to compel the testimony of witnesses;
  - e. The right to cross-examine witnesses against him; and
  - f. The right to obtain judicial review of the final decision of the OREAB.
3. That Respondent stipulates to the facts as set forth above and specifically waives his right to contest these findings in any subsequent proceedings before the OREAB and to appeal this matter to the District Court;
  4. That Respondent consents to the entry of this Consent Order affecting his professional practice of real estate appraising in the State of Oklahoma;
  5. That Respondent agrees and consents that this Consent Order shall not be used by him for purposes of defending any other action initiated by the OREAB regardless of the date of the appraisal;
  6. That all other original allegations in this matter are dismissed; and
  7. That this Consent Order is for the purpose of settlement only. Neither the fact that Respondent and OREAB have agreed to this Consent Order, nor the Findings of Fact or Conclusions of Law contained herein, shall be used for any purpose in any proceeding, except by the OREAB. Nothing contained in this Consent Order is an admission by the Respondent of liability.

### ORDER

WHEREFORE, on the basis of the foregoing Agreed Findings of Fact and Conclusions of Law, it is Ordered that:

1. Respondent successfully completes corrective education as follows:
  - i. FIFTEEN (15) HOURS – 611: Residential Market Analysis & Highest and Best Use.

ii. FIFTEEN (15) HOURS – 612: Residential Site Valuation & Cost Approach.

2. Respondent shall pay an administrative fine in the amount of Five Hundred Dollars (\$500.00);
3. Fines and costs prescribed herein shall be paid in a manner contemplated by Okla. Stat. tit. 59 § 858-723(B)(4); and
4. Respondent agrees that should he undertake similar assignments, he will affiliate with a licensed appraiser competent to complete the assignment.

**DISCLOSURE**

Pursuant to the Oklahoma Open Records Act, 51 O.S. §§24-A.1 – 24A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection and copying upon request.

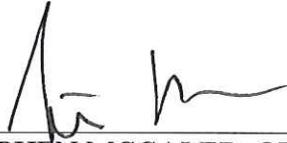
RESPONDENT:

Aaron Kelcy  
AARON KELCY

3/14/12  
DATE

**CERTIFICATE OF BOARD PROSECUTING ATTORNEY**

I believe this Consent Order to be in the best interests of the Oklahoma Real Estate Appraiser Board, the State of Oklahoma and the Respondent with regard to the violations alleged in the formal Complaint.

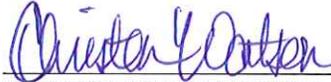


STEPHEN MCCALED, OBA #15649  
Board Prosecutor  
3625 N.W. 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma 73112

3-22-12

DATE

IT IS SO ORDERED on this 30<sup>th</sup> day of March, 2012.



CHRISTEN WATSON, Secretary  
OKLAHOMA REAL ESTATE  
APPRAISER BOARD



By:



BRYAN NEAL, OBA #6590

Assistant Attorney General  
Counsel for the Board  
313 NE 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105

**CERTIFICATE OF MAILING**

I, Christine McEntire, hereby certify that on the 6th day of April, 2012 a true and correct copy of the above and foregoing Consent Order for Respondent Aaron Kelcy, was placed in the U.S. Mail by certified mail, return receipt requested to:

**Aaron B. Kelcy**  
P.O. Box 54827  
Oklahoma City, OK 73154

**7010 3090 0000 3334 9541**

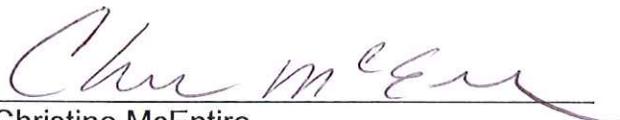
and that copies were forwarded by first class mail to the following:

**OFFICE OF THE ATTORNEY GENERAL**

Attn: Bryan Neal  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, OK 73105

**DERRYBERRY & NAIFEH, LLP**

Attn: Stephen McCaleb  
4800 North Lincoln Blvd.  
Oklahoma City, Oklahoma 73105

  
Christine McEntire