

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

In the Matter of DON L. STANDRIDGE)
Respondent.) Complaint #12-0118

CONSENT ORDER FOR RESPONDENT DON L. STANDRIDGE

COMES NOW the Oklahoma Real Estate Appraiser Board ("OREAB"), by and through the Prosecuting Attorney, Stephen McCaleb, and Respondent DON L. STANDRIDGE, by and through his attorney, Charles Graham, and enter into this Consent Order pursuant to Oklahoma Statutes Title 59 §858-700, et seq. and Oklahoma Administrative Code 600:10-1-1, et seq. All sections of this order are incorporated together.

AGREED FINDINGS OF FACT

For the purposes of entry of this Consent Order, the following facts are hereby stipulated to by the parties and adopted by the Board:

1. Sometime in February of 2012, Western Sun Federal Credit Union, (the "client"), hired Respondent to complete an appraisal (the "appraisal") for a property located at 13449 Banyan Road, Okmulgee, Oklahoma (the "subject property").
2. Respondent completed the appraisal and transmitted the appraisal to the client. The appraisal was for a refinance transaction.
3. Respondent committed a series of errors in the report which led to a misleading report. These errors include the following in paragraphs 4-20.
4. Respondent did not identify the subject property as a modular home, but rather reports that the subject property is "traditional" and compares it to stick built homes.

5. Respondent reports conflicting information in that he writes that he both did not access the interior of the dwelling, but also reports that the report is based on a site inspection of improvements.
6. The Respondent reported that the subject had not sold in thirty six months when in fact it had sold on July 13, 2009.
7. Respondent failed to report that comparable one had foreclosed in 2010.
8. Respondent's description in the Neighborhood section is misleading in that the subject is in an open rural area; not a residential area.
9. Respondent failed to list the dimensions of the site (instead he reported "1.5 Ac").
10. In the Site section, for utilities Respondent reports that Propane is available. It is unclear what this means.
11. Respondent reports that "interest rates are in the 6-9% range..." The report is from 2012. This interest rate range appears to be dated and not reflective of the rates available at the time of the report.
12. Respondent reports that the design is traditional. The subject is a modular home which is not traditional. Respondent never reports that it is modular.
13. The comparable selections made by Respondent were not truly comparable, and led to a misleading report.
14. Comparables one and two are located in a residential sub-division with a golf course. Respondent did not report this nor did he make adequate adjustments.
15. In the additional comments section on page 3 (of 6) in the report, Respondent's comments are not supported.

16. Respondent's opinion of site value is not adequately supported nor consistent with available sales.

17. Respondent's Location Map is misleading as comparable three in the location map is different from the comparable he used in the sales comparison approach.

AGREED CONCLUSIONS OF LAW

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

1. The Board has jurisdiction over this matter and Respondent pursuant to 59 O.S. §§ 858-702, 858-706 and 858-723.

2. Any Stipulation of Fact which is properly a Conclusion of Law is incorporated herein by reference and vice versa.

3. Pursuant to 59 O.S. § 858-723(A), the Board has the authority to reprimand, suspend or revoke any certificate or otherwise discipline any certificate holder for any of the grounds set forth in Section 858-723 of the Oklahoma Certified Real Estate Appraisers Act.

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

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

A) The Ethics Rule and the Conduct Section of the Uniform Standards of Professional Appraisal Practice Ethics Rule;

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

C) The Scope of Work Rule of the Uniform Standards of Professional Appraisal Practice;

D) Standard 1, Standards Rules 1-1, 1-2, 1-3, 1-4, 1-5 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.

5. 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."

6. 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."

7. That Respondent has violated 59 O.S. § 858-723(C)(9): "Willfully disregarding or violating any of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

8. That Respondent has violated 59 O.S. § 858-723(C)(13), in that Respondent violated 59 O.S. § 858-732(A)(1): "An appraiser must perform ethically and competently and not engage in conduct that is unlawful, unethical or improper. An appraiser who could reasonably be perceived to act as a disinterested third party in rendering an unbiased real property valuation must perform assignments with impartiality, objectivity and independence and without accommodation of personal interests."

CONSENT AGREEMENT

The Respondent, by affixing his signature hereto, acknowledges:

1. That Respondent has been advised to seek the advice of counsel prior to signing this document, and

2. That Respondent possesses the following rights among others:

- a. the right to a formal fact finding hearing before a disciplinary panel of the Board;
- 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 her; and
- f. the right to obtain judicial review of the final decision of the Board.

3. The Respondent stipulates to the facts as set forth above and specifically waives his right to contest these findings in any subsequent proceedings before the Board and to appeal this matter to the District Court.

4. The Respondent consents to the entry of this Order affecting his professional practice of real estate appraising in the State of Oklahoma.

5. The Respondent agrees and consents that this Consent Order shall not be used by him for purposes of defending any other action initiated by the Board regardless of the date of the appraisal.

6. All other original allegations in this matter are dismissed.

7. Respondent is solely responsible for any of the costs associated with the completion of the above-referenced conditions.

8. Respondent understands and agrees that should any future instances be brought to the attention of the Board in which Respondent has violated the Act, the Board reserves the right to prosecute such violations and to consider this Consent Order as a factor in the determination of any sanctions and penalties, if any, should the Board determine any violation has occurred.

9. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action against Respondent, including, but not limited to, the suspension or revocation of Respondent's license and/or the imposition or extension of a supervisory or probationary period.

ORDER

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

1. Respondent pay an administrative fine in the amount of Four Thousand Dollars (\$4,000). Said fine is pursuant to 59 O.S. §858-723 and shall be paid in accordance with said section, however, the parties agree that Respondent can pay the amount \$500 per month until the fine is completely satisfied. The first payment will be due no later than March 15 and the following seven payments will be due on the 15th of each month. If the 15th of a particular month falls on a weekend, the payment is due the Friday before the 15th. Should Respondent be late for any payment, a late fee of \$20 per day applies. Should Respondent fail to pay a monthly payment by the 30th of a month, his license shall be suspended until payment. All payments shall be in the form of money orders or cashier's checks. Respondent agrees that if he fails to pay his amount in full by the 15th date of October, in addition to suspension of his license, he agrees that the amount due can be reduced to a judgment in his home county.

2. Respondent successfully completes corrective education as follows:

- TWENTY (20) HOURS –Mastering Unique and Complex Property Appraisal: 1311.

Respondent will provide proof of completion no later than one hundred eighty (180) days after the Board approves this order. If for any reason Respondent is

unable for good cause to complete this requirement, he shall petition the Board prior to the expiration of the one hundred eighty (180) days for additional time. Respondent understands that the Board has its monthly meetings on the first Wednesday of each month and that if he needs to petition the Board for more time, he must present his request prior to the expiration of the one hundred eighty (180) days.

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.

FUTURE VIOLATIONS

In the event the Respondent fails to comply with any of the terms and conditions of this Consent Order, Respondent will be suspended immediately until said terms and conditions are met.

ACCEPTANCE BY THE BOARD

1. This Consent Order will not be submitted for Board consideration until it has been agreed to and executed by Respondent. The Consent Order shall not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.
2. It is hereby agreed between the parties that this Consent Order shall be presented to the Board with a recommendation of approval from the Board at the next scheduled meeting of the Board.
3. Respondent understands that the Board is free to accept or reject this Consent Order and, if rejected by the Board, a formal disciplinary hearing on the complaint against Respondent may be conducted.

4. If the Consent Order is not accepted by the Board, it shall be regarded as null and void. Admissions by Respondent in the Consent Order will not be regarded as evidence against him at the subsequent disciplinary hearing. Respondent will be free to defend himself and no inferences will be made from his willingness to have entered into this agreement. It is agreed that neither the presentation of the Consent Order nor the Board's consideration of the Consent Order will be deemed to have unfairly or illegally prejudiced the Board or its individual members and therefore will not be grounds for precluding the board or any individual Board member from further participation in proceedings related to the matters set forth in the Consent Order.

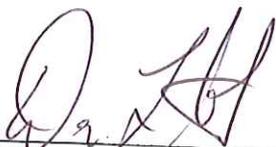
VOLUNTARY WAIVER OF RIGHTS

Respondent is fully aware of his rights to contest the charges pending against him. These rights include: representation by an attorney at his own expense; the right to a public hearing on any charges or allegations filed; the right to confront and cross-examine witnesses called to testify against him; the right to present evidence on his own behalf; the right to compulsory process to secure attendance of such witnesses; the right to testify on his on behalf; the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the complaint and the right to obtain judicial review of the Board's decision. Respondent in exchange for the Board's acceptance of this Consent Order voluntarily waives all of these rights.

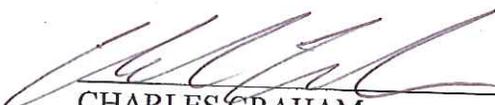
COMPLETE AGREEMENT

This Consent Order embodies the entire agreement between the Board and Respondent. It may not be altered and modified without the express consent of the parties.

RESPONDENT:


DON L. STANDRIDGE

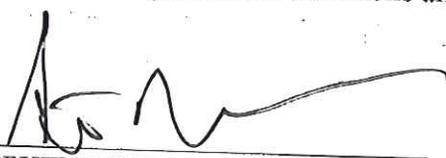
1/30/13
DATE


CHARLES GRAHAM
Attorney for Don L. Standridge

1/30/13
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 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112

2-5-13
DATE

IT IS SO ORDERED on this 6th day of February 2013.



Eric M. Schoen

ERIC SCHOEN, Board Secretary
Oklahoma Real Estate Appraiser Board

**OKLAHOMA REAL ESTATE
APPRAISER BOARD**

By:

Bryan Neal

BRYAN NEAL, OBA #6590
Assistant Attorney General
Attorney for the Board
2401 NW 23rd Street, Suite 28
Oklahoma City, Oklahoma 73152

CERTIFICATE OF MAILING

I, Rebecca Keesee, hereby certify that on the 6th day of February, 2013 a true and correct copy of the above and foregoing Consent Order for Respondent Don L. Standridge was placed in the U.S. Mail by certified mail, return receipt requested to:

Charles R. Graham
THE FOX LAW FIRM
4815 S. Harvard Ave., Ste, 138
Tulsa, OK 74135

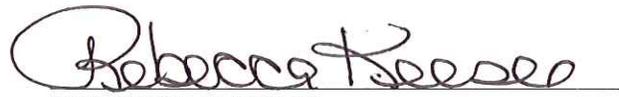
7012 2210 0000 8959 5216

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

Don L. Standridge
4701 W. 187th Street South
Mounds, OK 74047

Bryan Neal, Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
313 N.E. 21st Street
Oklahoma City, OK 73105

Stephen L. McCaleb
DERRYBERRY & NAIFEH
4800 N. Lincoln Boulevard
Oklahoma City, OK 73105


REBECCA KEESEE