

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

IN THE MATTER OF RONALD SCOTT,)
Respondent,)
) Complaint No. 09-056
Disciplinary Hearing)

CONSENT ORDER

COME NOW the Oklahoma Real Estate Appraiser Board ("OREAB"), by and through the Prosecuting Attorney, Sue Wycoff, and the Respondent RONALD SCOTT, representing himself, and enter into this Consent Order in lieu of a formal administrative hearing pursuant to Oklahoma Statutes Title 59 Section 858-700 et seq. and Oklahoma Administrative Code 600:10-1-1 et seq.

AGREED FINDINGS OF FACT

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

1. That Respondent Ronald Scott is a State Certified Real Estate Appraiser in the State of Oklahoma holding credential number 11622CRA issued by the OREAB, and was first licensed in September, 1996.
2. That on or about February 24, 2005, Respondent appraised a property at 1425 E Street, Miami, Oklahoma, and prepared a report of that appraisal.
3. That in his appraisal report Respondent made a series of errors, including that he chose as comparable sales properties that had larger acreages and gross living areas, were younger, appeared to be superior to the subject property and were far away from the subject. One comparable was 15 miles from the subject; the other two were 25 miles away. None were in the City of Miami.

4. Respondent did not report that a large part of the subject's ten acres is located in a 100 year flood plain.

5. Respondent did not disclose that his chosen comparable #2 had an in-ground swimming pool.

6. Respondent reported that his verification source for the subject was "Inspection Courthouse" and reported the age of the subject as 75 years. However, the Assessor sheet shows the house to have been built in 1960, making the house 45 years old at the time of the appraisal

7. Respondent gave a site value for the subject's ten acres of \$150,000 in his Cost Approach, with no stated basis for such a high value.

8. Respondent failed to report that the subject property was listed for sale for 46 days during the twelve months preceding his Report.

9. These errors and others resulted in Respondent producing a misleading appraisal Report and ascribing a grossly inflated value to the subject property, which was ultimately foreclosed and later sold for approximately half Respondent's appraised value.

AGREED CONCLUSIONS OF LAW

1. That the Oklahoma Real Estate Appraiser Board has jurisdiction of this cause pursuant to Oklahoma law as set forth at Title 59 of the Oklahoma Statutes, Sections 858-701 et seq. and the Rules of the Real Estate Appraiser Board at OAC 600:10-1-1 et seq.

2. That the Respondent was properly notified of the complaint and of his right to counsel.

3. That the Respondent hereby expressly waives any objections to the timeliness of the notification of the Complaint, the specificity of the charge, and the procedures of the Board.

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

a. 59 O.S. §858-723(C)(7), "Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal report, or in communicating an appraisal".

b. 59 O.S. §858-723(C)(8), "Negligence or incompetence in developing an appraisal, preparing an appraisal report or communicating an appraisal".

c. 59 O.S. §858-723(C)(6), "Violation of any of the Standards for the development or communication of real estate appraisals as provided in the Oklahoma Certified Real Estate Appraisers Act" by violation of:

i. Ethics Rule, USPAP 2005 Edition;

ii. Competency Rule, USPAP 2005 Edition;

iii. Standard 1 and Standards Rules 1-1(b), 1-1(c), 1-4(a), & 1(4)(b) USPAP 2005 Edition; and

iv. Standard 2 and Standards Rules 2-1(a), 2-2(b)(viii) USPAP 2005 Edition.

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.

ORDER

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

1. Respondent, Ronald Scott, will pay a two thousand five hundred dollar (\$2,500.00) administrative fine and costs of this action in the amount of two thousand and sixty dollars (\$2060.00). Payment of this administrative fine and costs will be in the manner specified by 59 O.S. §858.723 (B)(2) and (B)(4), and the Board hereby agrees to extend the statutory thirty (30) day initial period for payment to sixty (60) days.

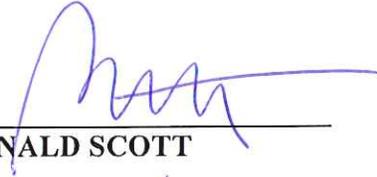
DISCLOSURE

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 directed to show cause why his credential should not be revoked.

RESPONDENT:



RONALD SCOTT

05/31/2010

DATE

CERTIFICATION 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.

SUE WYCOFF OBA #9931
Board Prosecutor
Real Estate Appraiser Board
Five Corporate Plaza
3625 N.W. 56TH Street
Suite 100
Oklahoma City OK 73112

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6/4/10
DATE

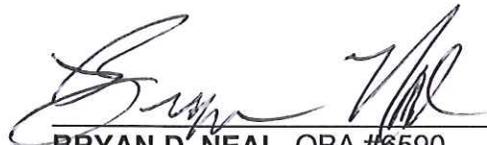
IT IS SO ORDERED on this 4th day of June, 2010.

**STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD**





SHANNON N. GABBERT, Secretary
Real Estate Appraiser Board



BRYAN D. NEAL, OBA #6590
Assistant Attorney General
Counsel to the Board

CERTIFICATE OF MAILING

I, Christine McEntire, hereby confirm that a true and correct copy of the above and foregoing Consent Order was mailed, postage prepaid by certified mail with return receipt requested on this 27 day of June, 2010 to:

Ronald K. Scott
1524 E. 20th Street
Tulsa, Oklahoma 74120

7009 2820 0001 5683 5884

and that copies were mailed to:

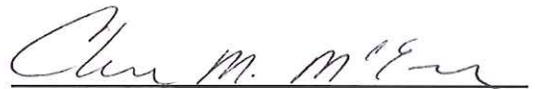
Dana L. Norton, Hearing Panel Officer
2605 Forest Glen Drive
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Christine M. McEntire, Legal Secretary