

FINDINGS OF FACT

1. All of the statements in the Jurisdiction section of this Order are incorporated herein by reference.

2. The Board makes the finding that the Allegations of Fact set forth in the Notice to Appear and Order to Show Cause are incorporated herein by reference and were proved by clear and convincing evidence.

CONCLUSIONS OF LAW

1. That Respondent has violated 59 O.S. § 858-723(C)(5): "An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person."

2. 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 or the regulations of the OREAB for the administration and enforcement of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

3. That Respondent has violated 59 O.S. § 858-723(B)(1-5) and therefore his license should be automatically revoked.

4. That Respondent has violated OAC 600:15-1-15, and therefore has violated 59 O.S. § 858-723(C)(9).

FINAL ORDER

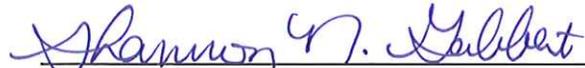
The Board, having adopted the Findings of Fact and Conclusions of Law as set forth above, sets forth the following Final Order:

That Respondent's appraiser credential is hereby revoked.

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

IT IS SO ORDERED this 9th day of July, 2010




SHANNON N. GABBERT, Secretary
Real Estate Appraiser Board


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

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Board's Decision on Notice to Appear and Order to Show Cause was mailed Certified Mail, Return Receipt Requested on this 15 day of July, 2010 to:

Frank J. Hendrickson
1403 Maxey Drive
Muskogee, Oklahoma 74403

7009 2820 0001 5683 8427

and by First Class Mail to:

OFFICE OF THE ATTORNEY GENERAL
Attn: Bryan D. Neal
313 N.E. 21st Street
Oklahoma City, OK 73105

DERRYBERRY & NAIFEH, LLP
Attn: Stephen L. McCaleb
4800 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105


Christine McEntire

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

In the Matter of **Frank J. Hendrickson,**)

Respondent.)

Complaint #09-097

NOTICE TO APPEAR AND ORDER TO SHOW CAUSE

COMES NOW the Oklahoma Real Estate Appraiser Board ("OREAB"), by and through the Board Prosecutor, Stephen McCaleb, and alleges and states as follows:

JURISDICTION

1. That the OREAB has the duty to carry out the provisions of the Oklahoma Certified Real Estate Appraisers Act as set forth at Title 59 of the Oklahoma Statutes, §§858-701, *et seq.* and to establish administrative procedures for disciplinary proceedings conducted pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act.

2. That the OREAB has promulgated rules and regulations to implement the provisions of the Oklahoma Certified Real Estate Appraisers Act in regard to disciplinary proceedings as set forth at the Oklahoma Administrative Code, §§600:15-1-1 - 600:15-1-22, including administrative hearings.

3. That the OREAB, upon timely written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter pursuant to §600:15-1-19.

4. That the Director of the OREAB, for good cause shown, may grant a continuance if a written Motion to Continue is received at the offices of the OREAB no less than ten (10) days prior to the hearing date. §600:15-1-6.

5. Any party shall have the right to counsel provided that such counsel is duly licensed to practice law by the Supreme Court of Oklahoma, and provided that such counsel shall have the right to appear and act for and on behalf of the party he/she represents. In order to be

recognized as counsel for respondent, such counsel shall file a written entry of appearance with the OREAB's Director.

6. That Respondent Frank J. Hendrickson is a state licensed appraiser in the State of Oklahoma, holding certificate number 11234 and was first licensed with the Oklahoma Real Estate Appraiser Board on March 29, 1994.

ALLEGATIONS OF FACT

1. Respondent has had three disciplinary matters formally resolved since July of 2009.

2. Complaint 08-031 resulted in various penalties, which included a thirty (30) day suspension. See the July 10, 2009, Board's Decision on Disciplinary Hearing Panel Recommendation attached as Exhibit "A".

3. Complaint 08-067 resulted in various penalties, which included a six (6) month suspension and an administrative fine of one thousand dollars. See the July 10, 2009, Board's Decision on Disciplinary Hearing Panel Recommendation attached as Exhibit "B".

4. On July 21, 2009, the OREAB's Director issued a letter to Respondent advising him that the OREAB's rules require him to return his license to the OREAB. See July 21, 2009, letter from Rod Stirman to Respondent and the signed PS Form 3811 card attached as Exhibit "C".

5. Complaint 08-081 resulted in Respondent surrendering his license. See the September 4, 2009, Board's Decision on Acceptance of Affidavit of Voluntary Surrender by Frank J. Hendrickson in Lieu of Disciplinary Proceedings attached as Exhibit "D".

6. As of the signing of this Notice, Respondent has failed to comply with any of the requirements ordered by the OREAB, including turning in his license to the office of the OREAB.

ALLEGED VIOLATIONS OF LAW

1. That Respondent has violated 59 O.S. § 858-723(A)(5): "An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person."

2. 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 or the regulations of the OREAB for the administration and enforcement of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

3. That Respondent has violated 59 O.S. § 858-723(B)(1-5) and therefore his license should be automatically revoked.

4. That Respondent has violated OAC 600:15-1-15, and therefore has violated 59 O.S. § 858-723(C)(9).

ORDER

WHEREFORE, Respondent, Frank J. Hendrickson is hereby given notice of a hearing to be held at 9:30 a.m. on the 9th day of July, 2010, at the office of the Oklahoma Insurance Commissioner, 5 Corporate Plaza, 3625 NW 56th, Suite 100, Oklahoma City, Oklahoma 73112, in which he shall show cause as to why his license should not be revoked or why additional penalties shall not be ordered.

The Respondent is advised that, in accordance with the above-referenced statutes and rules, he has the right to appear personally, to be represented in writing, and/or to appear through an attorney. Furthermore, the Respondent has the right to cross-examine witnesses and present evidence on his own behalf.

THEREFORE, the Respondent is hereby directed to appear at said formal proceeding on said date. If the Respondent is not present in person, in writing, or through an attorney, the formal proceeding will be held in his absence, and the OREAB, in its discretion, may summarily take appropriate actions.

WITNESS my hand and official seal this 17th day of May, 2010.

**OKLAHOMA REAL ESTATE
APPRAISER BOARD**

By:

A handwritten signature in black ink, appearing to read "George R. Stirman III", written over a horizontal line.

GEORGE R. STIRMAN III, Director

Real Estate Appraiser Board

3625 NW 56th St, Ste 100

Oklahoma City, OK 73112

(405) 521-6636, Fax 522-6909

reab@oid.ok.gov

CERTIFICATE OF MAILING

I, George R. Stirman III, do hereby certify that a true and correct copy of the above and foregoing Notice to Appear and Order to Show Cause was mailed on this 17th day of May, 2010 to:

Frank J. Hendrickson
1403 Maxey Drive
Muskogee, Oklahoma 74403

7002 2410 0001 7593 3114

and by First Class Mail to:

OFFICE OF THE ATTORNEY GENERAL
Attn: Bryan D. Neal
313 N.E. 21st Street
Oklahoma City, OK 73105

DERRYBERRY & NAIFEH, LLP
Attn: Stephen L. McCaleb
4800 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105


GEORGE R. STIRMAN III, Director
Real Estate Appraiser Board

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

In the Matter of **FRANK J. HENDRICKSON,**)
)
 Respondent.)
 Disciplinary Hearing)

Complaint #08-031

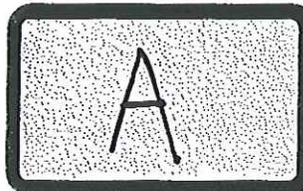
**BOARD'S DECISION ON DISCIPLINARY
HEARING PANEL RECOMMENDATION**

ON THE 10th day of July, 2009, 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, Scott C. Goforth, Norman J. Jack Houston, and Dana L. Norton. Dana L. Norton was elected and served as Hearing Panel Chairman. Said panel was represented by the Board's attorney, Assistant Attorney General Bryan Neal. The case was prosecuted by the Board's prosecutor, Stephen L. McCaleb. The Respondent, Frank J. Hendrickson, appeared pro-se, after having been mailed a copy of the Notice of Disciplinary Proceedings and Appointment of Hearing Panel by certified mail with return receipt requested pursuant to the Oklahoma Certified Real Estate Appraisers Act, 59 O.S. § 858-724, and the Oklahoma Administrative Procedures Act, 75 O.S. §§250-323.

The Board, being fully advised in the matter, makes the following Order adopting 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 Certified Real Estate Appraisers Act, 59 O.S. § 858-700 *et seq.*
2. That the proceedings were conducted in accordance with the Oklahoma Certified Real Estate Appraisers Act, 59 O.S. § 858-700 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S., § 250-323.



3. That Respondent Frank J. Hendrickson is a State Licensed Real Estate Appraiser in the State of Oklahoma, holding certificate number 11234SLA and was first credentialed by the Oklahoma Real Estate Appraiser Board on March 29, 1994.

FINDINGS OF FACT

The Board adopts in full the findings of fact which were stipulated to by the parties and were proven by clear and convincing evidence:

1. In January of 2003, True Trust Mortgage (the "client") hired Frank Hendrickson ("Hendrickson") to appraise a parcel of property located at 18040 E. 613 Road, Inola, Oklahoma (the "subject property").

2. On or about January 13, 2003, Hendrickson completed an appraisal on the subject property (the "appraisal"). The appraisal's date of appraised value was reported as January 13, 2003. Respondent reported a final estimate of value as One Hundred Thousand Dollars and 00/100 (\$100,000.00). The report was submitted to the client.

3. Said appraisal states in the appraiser's signed certification that the appraiser's analyses, opinions and conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice ("USPAP").

4. The report contained numerous errors which in the aggregate led to an inflated market value of the subject property. Some of the errors include, but are not limited to, the following paragraphs 5-10.

5. Respondents' comparables were superior to the subject property and Respondent ignored and failed to analyze adequate sales within the subject market area.

6. Respondent reports he uses Marshall & Swift to determine his cost per square foot under the cost approach. However, the amount used per square foot is not consistent with Marshall & Swift, is inflated and is misleading.

7. Respondent reported that the driveway is concrete when in fact it is gravel.

8. Information contained in the neighborhood section was not complete and accurate in that:

- a. The neighborhood was rural, not suburban.
- b. The values were not stable, but were increasing.
- c. The neighborhood property ages should have been reported as new to 50 years of age, rather than new to 100 years as reported by the Respondent.

9. Respondent failed to make appropriate adjustments to the comparables as follows:

- a. On comp # 2, Respondent failed to make a required adjustment for site size.
- b. On comp #3, Respondent made an insufficient adjustment for site size.
- c. On Comps #2 and 3, Respondent made an inadequate adjustment for car storage.

10. Respondent failed to correctly identify the scope of work necessary in that he failed to use the resources that would represent what his peers' actions would be in performing this assignment, thus failing to exercise reasonable diligence in developing the appraisal.

11. Testimony was received from a review appraiser related to a retrospective review appraisal report of the subject report. During his testimony Respondent offered nothing specific to refute the findings of the review appraisal or the testimony of the review appraiser. Accordingly, the panel finds both the review appraiser and her review appraisal report credible.

CONCLUSIONS OF LAW

The Board adopts in full the conclusion of the Hearing Panel that said conduct by the Respondent is in violation of:

1. That Respondent has violated 59 O.S. § 858-723(A)(5): "An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person."

2. That Respondent has violated 59 O.S. § 858-723(A)(6) through 59 O.S. §858- 726: "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.", in that Respondent certified that the report was USPAP compliant, but violated:

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

B) The Competency Rule of the Uniform Standards of Professional Appraisal Practice in that he failed to attempt to find or use all resources required for collection and verification of data;

C) Standards Rules 1, 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 2, and 2-1 of the Uniform Standards of Professional Appraisal Practice.

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

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

5. That Respondent has violated 59 O.S. § 858-723(A)(9): "Willfully disregarding or violating any of the provisions of the Oklahoma Certified Real Estate Appraisers Act or the regulations of the Board for the administration and enforcement of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

6. That Respondent has violated 59 O.S. § 858-723(A) (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."

FINAL ORDER

The Board, having adopted the Findings of Fact and Conclusions of Law as set forth above, sets forth the following Final Order accepting the recommendation of the Hearing Panel as follows:

1. Respondent's appraisal credential be **SUSPENDED** for a period of **THIRTY (30) DAYS** from the date of any order of the Board adopting this recommendation. Such suspension shall be in accordance with Board Rule OAC 600:15-1-15.

2. Respondent shall successfully complete corrective education as follows:

- **THIRTY (30) HOURS** identified as Course #613, Residential Sales Comparison and Income Approaches; and

This course must be completed with a copy of the certificate of course completion transmitted to the administrative office of the Board within **SIX (6) MONTHS** from the date of any Board order accepting this recommendation. The course taken to satisfy this requirement may not be used to satisfy any requirement for continuing education for certificate renewal.

3. Respondent's credential shall be subject to a period of probation of **SIX (6) MONTHS** beginning at the date of termination of the aforementioned period of suspension under the following terms and conditions:

- Respondent shall submit a log on REA Form 3 of all appraisal activity in which he engages to arrive in the administrative office of the Board by not later than the fifth day of each month regardless of whether appraisal activity has occurred.
- The Board staff may select any work product from any log submitted and require that Respondent forward a true copy to the Board's administrative office for review within five days of the request.

4. Should Respondent fail to satisfy any of the above requirements on a timely basis, Respondent's appraisal credential shall be suspended without further Board action until successful completion of said requirements.

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

IT IS SO ORDERED this 10th day of July, 2009



KIM HOLLAND, Chairperson
Real Estate Appraiser Board

BRYAN NEAL
Assistant Attorney General
Counsel to the Board

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Board's Decision on Disciplinary Hearing Panel Recommendation was mailed postage prepaid by certified mail with return receipt requested on this 21 day of July, 2009 to:

Frank Hendrickson
1403 Maxey Drive
Muskogee, OK 74403-1102

CERTIFIED NUMBER
7008 3230 0000 8455 2427

and that copies were mailed to:

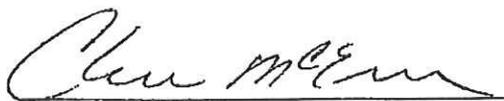
Dana L. Norton, Hearing Panel Officer
2605 Forest Glen Drive
Choctaw, Oklahoma 73020

Scott C. Goforth, Hearing Panel Officer
3705 West Memorial Road, Suite 306
Oklahoma City, Oklahoma 74802

Norman J. Houston, Hearing Panel Officer
2727 Silvertree Drive
Oklahoma City, Oklahoma 73120

OFFICE OF THE ATTORNEY GENERAL
Attn: Bryan Neal
313 N.E. 21st Street
Oklahoma City, OK 73105

DERRYBERRY & NAIFEH, LLP
Attn: Stephen McCaleb
4800 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105


Christine McEntire, Legal Secretary

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

In the Matter of **FRANK J. HENDRICKSON**,)
)
Respondent.)
Disciplinary Hearing)

Complaint #08-067

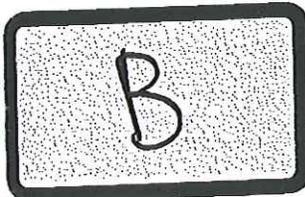
**BOARD'S DECISION ON DISCIPLINARY
HEARING PANEL RECOMMENDATION**

ON THE 10th day of July, 2009, 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") consisted of three members, Brett M. Brown, H.E. Ted Smith, and William F. Stephens Jr. H.E. Ted Smith was elected and served as Hearing Panel Chairman. Said panel was represented by the Board's attorney, Assistant Attorney General Bryan Neal. The case was prosecuted by the Board's prosecutor, Stephen L. McCaleb. The Respondent, Frank J. Hendrickson, appeared not, but responded by facsimile transmission, after having been mailed a copy of the Notice of Disciplinary Proceedings and Appointment of Hearing Panel by certified mail with return receipt requested pursuant to the Oklahoma Certified Real Estate Appraisers Act, 59 O.S. § 858-724, and the Oklahoma Administrative Procedures Act, 75 O.S. §§250-323.

The Board, being fully advised in the matter, makes the following Order adopting 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 Certified Real Estate Appraisers Act, 59 O.S. § 858-700 *et seq.*
2. That the proceedings were conducted in accordance with the Oklahoma Certified Real Estate Appraisers Act, 59 O.S. § 858-700 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S., § 250-323.



3. That Respondent Frank J. Hendrickson is a State Licensed Real Estate Appraiser in the State of Oklahoma, holding certificate number 11234SLA and was first credentialed by the Oklahoma Real Estate Appraiser Board on March 29, 1994.

FINDINGS OF FACT

The Board adopts in full the findings of fact which were stipulated to by the parties and were proven by clear and convincing evidence:

1. In 2007, Sequoyah Mortgage (the "client") hired Frank Hendrickson ("Hendrickson") to appraise a parcel of property located at 204 South 5th Street, Eufaula, Oklahoma (the "subject property").

2. On or about May 21, 2007, Hendrickson completed an appraisal on the subject property (the "appraisal"). The appraisal's date of appraised value was reported as May 16, 2007. Respondent reported a final estimate of value as Eighty-Five Thousand Dollars and 00/100 (\$85,000.00). The report was submitted to the client and was for the purpose of refinancing the subject property.

3. Said appraisal states in the appraiser's signed certification that the appraiser's analyses, opinions and conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice ("USPAP").

4. The report contained numerous errors which in the aggregate led to an inflated market value of the subject property. Some of the errors include, but are not limited to, the following paragraphs 5-13.

5. Respondent failed to provide an adequate neighborhood description in the appraisal and failed to explain the omission of a neighborhood description narrative statement.

6. Respondent's predominate value of properties in the neighborhood was inflated and the highest valued property in the neighborhood was inflated in the appraisal as well.

7. Respondent failed to list the site dimensions in the appraisal.

8. Respondent failed to analyze the prior sale of the subject property less than two years prior to respondent's appraisal and explain the very substantial difference between the prior sale price and his estimate of value.

9. Sales comparable to the subject property were available but not chosen by Respondent.

10. The subject property's appraised value was \$80.19 per square foot while the comparables selected all superior to the subject property, ranged from \$60.06 per square foot to \$65.50 per square foot.

11. There was no support for Respondent's \$10 per square foot adjustment for gross living area when Respondent derived \$82.00 per square foot of the subject property.

12. Respondent's site value adjustment on comparable number one is unsupported.

13. Respondent's age adjustments are not consistent and Respondent failed to offer explanation or support for the adjustments made.

14. Respondent failed to correctly apply his credential number to the report.

15. Respondent received a copy of the Notice of Disciplinary Proceedings and Appointment of Hearing Panel on February 26, 2009, constituting proper service of notice.

16. The hearing panel found by clear and convincing evidence that the conduct in the preceding paragraphs constitutes gross negligence.

CONCLUSIONS OF LAW

The Board adopts in full the conclusion of the Hearing Panel that said conduct by the Respondent is in violation of:

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

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

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 and Standards Rules 1-1, 1-2(e)(i), 1-2(h), 1-3(a), 1-4(a), 1-4(b), 1-4(c), 1-5, and 1-6,

E) Standard 2, 2-1(a), 2-1(b), 2-2(b)(iii), 2-2(b)(viii), 2-2(b)(ix), and 2-2(b)(xi), of the Uniform Standards of Professional Appraisal Practice.

2. That Respondent has violated 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."

3. 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."

4. 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."

5. 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 or the regulations of the Board for the administration and enforcement of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

6. 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."

7. That Respondent has violated 59 O.S. § 858-723(C)(6) by violating 59 O.S. §858-719(B).

FINAL ORDER

The Board, having adopted the Findings of Fact and Conclusions of Law as set forth above, sets forth the following Final Order accepting in part and modifying in part the recommendation of the Hearing Panel as follows:

1. Respondent's appraisal credential be **SUSPENDED** for a period of not less than **SIX (6) MONTHS** to begin on the day following termination of the period of suspension ordered by Order #09-015 in Complaint #08-031. Terms and conditions of this suspension shall be as set forth by Board Rule, OAC 600:15-1-15.

2. That Respondent may not reinstate his credential until:

Respondent successfully completes corrective education as follows:

- the **FIFTEEN (15) HOUR** National USPAP Course, course #600;
- the **FIFTEEN (15) HOUR** Residential Report Writing and Case Studies course, Course #614; and
- the **THIRTY (30) HOUR** Basic Appraisal Procedures course, Course #602.

All courses must be successfully completed with copies of the certificates of course completion transmitted to the administrative office of the Board. The courses must be tested, must be provided by a course provider other than the provider who provided Respondent's original courses, and must be live courses, attended in-person by Respondent (not distance and/or correspondence courses). Corrective education as required above may not be used as continuing education for the purpose of credential renewal.

3. Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1,000.00).

SAID SUSPENSION IS TO RUN CONSECUTIVE TO THE SUSPENSION RENDERED IN COMPLAINT 08-031 ORDERED THIS SAME DATE.

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

IT IS SO ORDERED this 10th day of July, 2009



Handwritten signature of Kim Holland in black ink, written over a horizontal line.

KIM HOLLAND, Chairperson
Real Estate Appraiser Board

Handwritten signature of Bryan Neal in black ink, written over a horizontal line.

BRYAN NEAL
Assistant Attorney General
Counsel to the Board

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Board's Decision on Disciplinary Hearing Panel Recommendation was mailed postage prepaid by certified mail with return receipt requested on this 21 day of July, 2009 to:

Frank Hendrickson
1403 Maxey Drive
Muskogee, OK 74403-1102

CERTIFIED NUMBER
7008 3230 0000 8455 2427

and that copies were mailed to:

Brett M. Brown, Hearing Panel Officer
1601 W. English Way
Mustang, Oklahoma 73064

H.E. Ted Smith, Hearing Panel Officer
P.O. Box 362
Stillwater, Oklahoma 74076

William F. Stephens, Jr., Hearing Panel Officer
P.O. Box 871
Paul's Valley, Oklahoma 73075

OFFICE OF THE ATTORNEY GENERAL
Attn: Bryan Neal
313 N.E. 21st Street
Oklahoma City, OK 73105

DERRYBERRY & NAIFEH, LLP
Attn: Stephen McCaleb
4800 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105



Christine McEntire, Legal Secretary



**OKLAHOMA REAL ESTATE
APPRAISER BOARD
OKLAHOMA INSURANCE DEPARTMENT**

KIM HOLLAND, CHAIRPERSON
LEE R. CAESAR JR., VICE-CHAIRMAN
PATTI L. FISHER, MEMBER
JAMES W. HOYT, MEMBER

P. LANE WHEELER, MEMBER
KIM N. ALLEN, MEMBER
JANA S. BARKER, MEMBER
HAROLD J. SNYDER III, MEMBER

July 21, 2009

Frank Hendrickson
1403 Maxey Drive
Muskogee, OK 74403-1102

7008 3230 0000 8455 2427

RE: Complaint #08-031, In the Matter of Frank J. Hendrickson
Complaint #08-067, In the Matter of Frank J. Hendrickson

Dear Mr. Hendrickson:

Please find enclosed Board Order 09-015 and Board Order 09-016 with respect to the above-referenced matters.

I would like to invite your attention to:

OAC 600:15-1-15 – Conditions During Suspension – (a)(2) "Promptly following the final order of suspension, the suspended appraiser shall return his/her license to the Board."

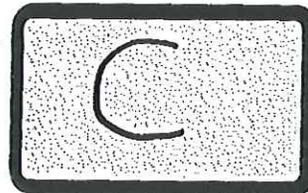
While the Board considers you suspended as of the date of the final Orders, and the National Registry has been notified of your suspension, effective today's date, the actual count does not begin until your original license and pocket card are received in the administrative office of the Board. If your original license and pocket card are not received in our office by 3:00 p.m., on Thursday, July 30, 2009, further action will be taken.

Please feel free to contact our office with any questions or concerns.

Sincerely,

GEORGE R. STIRMAN III, Director
Real Estate Appraiser Board

Enclosures



U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For Delivery Information visit our website at www.usps.com

OFFICIAL USE

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Restricted Delivery Fee (Endorsement Required)	
Total Postage	



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 Street, Apt. or PO Box #
 City, State, ZIP

Frank J. Hendrickson
 1403 Maxey Drive
 Muskogee, OK 74403

PS Form 3811, February 2004

ZEAB ORD 09-015 / 09-016

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Frank J. Hendrickson
 1403 Maxey Drive
 Muskogee, OK 74403

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
F. Hendrickson

B. Received by (Printed Name) C. Date of Delivery
F. Hendrickson *Feb. 09*

D. Is delivery address different from Item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7008 3230 0000 8455 2427**

IT IS SO ORDERED this 4th day of September, 2009.


KIM HOLLAND, CHAIRPERSON
REAL ESTATE APPRAISER BOARD

APPROVED AS TO FORM:


BRYAN NEAL, ASST ATTY GENERAL





**STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD**
Post Office Box 53408
Oklahoma City, Oklahoma 73152-3408

**AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL
IN LIEU OF DISCIPLINARY PROCEEDINGS**

I, Frank Hendrickson, being of lawful age, swear and affirm under penalty of perjury, that:
(Print full name of individual surrendering credential)

1. I hold an appraiser credential as a (check the appropriate box and enter certificate or license number):

- Trainee Appraiser, credential # _____; OR
 State Licensed Appraiser, credential # 112349LA; OR
 Certified Residential Appraiser, credential # _____; OR
 Certified General Appraiser, credential # _____

2. I desire to surrender my appraisal credential.

3. I am freely and voluntarily surrendering my appraisal credential.

4. In surrendering my credential, I am not subject to any duress or coercion.

5. I am aware that following grievance(s), investigation(s), and/or board complaint(s) are pending against me (please enter grievance, complaint, and/or control number(s); if there are more than 15 pending matters, complete another affidavit):

1. 08-081 2. _____ 3. _____

6. The contents of the above grievance(s), investigation(s), and/or board complaint(s) and the contents of any investigative or disciplinary files of the above pending grievance(s), investigation(s), and/or board complaint(s) are incorporated herein by reference.

7. I am aware that the allegations set forth in the above pending grievance(s), investigation(s), and/or board complaint(s), if proven, would constitute violations of the Oklahoma Real Estate Appraiser Act and/or the rules promulgated pursuant thereto, for which I could be subject to discipline by the Board, up to and including revocation of my appraiser credential.

8. I am fully aware of my rights to contest the allegations pending against me. These rights include: representation by an attorney at my 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 me; the right to present evidence on my own behalf; the right to compulsory process to secure attendance of such witnesses; the right to testify on my own behalf; the right to receive written findings of fact and conclusions of law supporting the decision on the merits of a complaint and the right to obtain judicial review of the Board's decision. In exchange for the Board's acceptance of the surrender of my appraiser credential, I voluntarily waive all of these rights.

- 9. I am aware that surrender of my credential shall not become effective until it has been approved by a majority of the Board.
- 10. I acknowledge this affidavit shall be presented to the Board with a recommendation from Board staff at the next available scheduled meeting of the Board.
- 11. I understand that the Board is free to accept or reject my surrender of my credential and, if rejected by the Board, a formal disciplinary hearing on the above pending matters may be held.
- 12. I understand that if the surrender is not accepted by the Board, it shall be regarded as null and void. Any admissions I make in this affidavit will not be regarded as evidence against me in the subsequent disciplinary hearing. I will be free to defend myself and no inferences will be made from my willingness to submit this affidavit.
- 13. I understand and agree that neither the presentation of this affidavit nor the Board's consideration of this affidavit 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 this affidavit.
- 14. I understand and agree that should the Board accept my surrender of my appraiser credential that:
 - * I cannot be identified as a Trainee, State Licensed, State Certified Residential or State Certified General Appraiser;
 - * All reference(s) to certification/licensure must be immediately removed from all letterheads, business cards, appraisal report covers and other printed materials under my reasonable control; and
- 15. My real estate appraiser credential and pocket card are attached hereto.
- 16. I understand and agree that should the Board accept my surrender of my appraiser credential, I cannot and will not apply for reinstatement for a period of at least five (5) years.
- 17. I further state that (check one):
 - I do not hold a license, certificate or credential as an appraiser in another jurisdiction..
 - I do hold a license, certificate or credential as an appraiser in the following jurisdiction(s) [LIST ALL JURISDICTIONS]:

Jurisdiction and Certificate or License Number

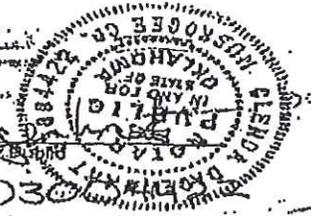
FURTHER AFFIANT SAYETH NOT.

Signed: Frank Hendrickson
(Signature of individual surrendering credential)

STATE OF OKLAHOMA
COUNTY OF MUSKOGEE } ss.

Subscribed and sworn to before me this 10th day of August, 2009.

Alenda D...
Notary Public



My Commission expires:

My Commission Number is:

429-2011

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Decision on Acceptance of Affidavit of Voluntary Surrender by Frank J. Hendrickson in Lieu of Disciplinary Proceeding was mailed postage prepaid by certified mail with return receipt requested on this 8 day of October, 2009 to:

Frank J. Hendrickson
1403 Maxey Drive
Muskogee, Oklahoma 74403

7008 3230 0000 8455 3363

and that copies were mailed to:

OFFICE OF THE ATTORNEY GENERAL

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

DERRYBERRY & NAIFEH, LLP

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


Christine McEntire