



multi listing service ("MLS") and that the one unit housing price range in the neighborhood ranged from Seventy Two Thousand Dollars and 00/100 (\$72,000.00) and One Hundred Sixteen Thousand Dollars and 00/100 (\$116,000.00). However, per MLS records, sales were found in the subject neighborhood ranging from Five Thousand Dollars and 00/100 (\$5,000.00) and Three Hundred Seventy Five Thousand Dollars and 00/100 (\$375,000.00).

5. Respondent incorrectly listed comparable #1 as a sale when it was actually a listing.

6. The data and analysis presented in the sales comparison approach are not complete and accurate. Respondent shows that comparable #2 has a closed sales date of February 14, 2009; the MLS records show a closed sales date of July 14, 2009. Comparable #3's lot size is 6,885 square feet and not the 10,885 square feet reported by Respondent; its age is 55 years and not the 64 years reported by Respondent; its bath count is 2.5 baths instead of his reported 1.5 baths.<sup>1</sup> Respondent reports that comparable #4 has no basement, however, MLS records show it has a full basement.

7. Regarding his use of comparables, Respondent acknowledges that the report could have been more descriptive as to why he used the comparables he chose.

#### **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 Conduct and Management Sections of the Uniform Standards of Professional Appraisal Practice Ethics Rule;

---

<sup>1</sup> It is of note that the MLS data reports in one instance the bath count is 2.5 and in another it is reported the bath count is 1.5.

- b. The Competency Rule of the Uniform Standards of Professional Appraisal Practice;
  - c. Standard Rules 1 and Standards Rules 1-1, 1-2, 1-3, and 1-4; Standard Rule 2 and Standards Rules 2-1 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."

### 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:

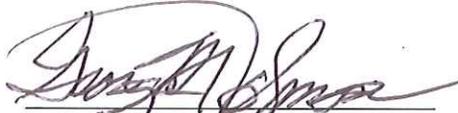
1. Respondent shall pay an administrative fine in the amount of One Thousand Dollars (\$1,000.00). Said fine shall be paid within thirty (30) days of the approval of this Order by the OREAB;

2. Respondent successfully completes corrective education as follows: FIFTEEN (15) HOURS – 621: Statistics, Modeling & Finance. Respondent shall file with the OREAB proof of the completed course no later than November 1, 2012.

#### **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:

  
GEORGE M. JOHNSON

  
BRUCE ROBINETT,  
Attorney for Respondent

May 23, 2012  
DATE

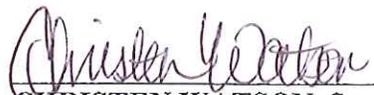
**CERTIFICATE OF BOARD PROSECUTING ATTORNEY**

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

5-24-12  
DATE

IT IS SO ORDERED on this 6<sup>th</sup> day of July, 2012.

  
CHRISTEN WATSON, Secretary  
OKLAHOMA REAL ESTATE  
APPRAISER BOARD



By:   
BRYANNEAL, OBA #6590  
Assistant Attorney General  
Counsel for the Board  
313 NE 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105

**CERTIFICATE OF MAILING**

I, Rebecca Keesee, hereby certify that on the 9<sup>th</sup> day of July, 2012 a true and correct copy of the above and foregoing Consent Order for Respondent George M. Johnson was placed in the U.S. Mail by certified mail, return receipt requested to:

**George M. Johnson**  
3650 S.E. Camelot Drive  
Bartlesville, OK74006

**7010 3090 0000 3334 6335**

**Bruce W. Robinett**  
BREWER, WORTEN & ROBINETT  
P.O. Box 1066  
Bartlesville, OK 74005

**7010 3090 0000 3334 6342**

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

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

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

  
REBECCA KEESEE