



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

June 4, 2010
Date

215
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting June 4, 2010 at 9:30 a.m. The Meeting was held in the Public Meeting Room of the offices of the Oklahoma Insurance Department at 5 Corporate Plaza, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. § 301 et seq., the agenda for this meeting was posted at the main entrance of the Oklahoma Insurance Department at 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma on May 25, 2010 at 11:30 a.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on May 25, 2010. The addendum to the agenda was posted in the main entrance to the offices of the Oklahoma Insurance Department on June 2, 2010 at 8:30 a.m., and was e-mailed or hand-delivered to the offices of the Board members and posted to the REAB website on June 2, 2010. The agenda and addendum are attached as Exhibit A.

- I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar Jr. called the meeting to order at 9:30 a.m. The roll of Board members was called to establish a quorum.

Board members present were: Lee R. Caesar Jr.;
Patti L. Fisher;
Betty J. Cagle;
P. Lane Wheeler;
Kim N. Allen;
Jana S. Barker; and
Harold J. Snyder III.

Board members excused were: Kim Holland, Chairperson.

Based on the result of the roll call, a quorum was declared present by the Chair.

Others in attendance were: Rod Stirman, Director; Melanie Sullivan, counsel for Commissioner Kim Holland; Bryan Neal, Assistant Attorney General; and Shannon Gabbert, Board Secretary. Others present were: Janet Braswell; Joe Garnand; Jerry Jones; Brett Robinson, Legislative Liaison; Lesa Smaligo, Legislative Liaison; Sue Wycoff, Board Prosecutor; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Allen moved that the reading of the minutes of the May 7, 2010 session be waived and approved as published and distributed. The motion was seconded by Mr. Wheeler. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

- III. **CHAIRPERSON'S REPORT.** The Chairperson offered no report.

VICE-CHAIRPERSON'S REPORT. The Vice-Chairperson offered no report.

Chairperson Kim Holland entered the room and was declared present.

DIRECTOR'S REPORT.

A. Discussion and possible action regarding suspension of individuals for non-payment of annual fees due March 31, 2010. (Exhibit C) A motion was made by Mr. Wheeler and seconded by Ms. Fisher to issue an order to suspend individuals listed in Agenda Item III, Director's Report A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

B. Discussion and possible action regarding approval of renewal applications due July 31, 2010 and authority to issue certificates. (Exhibit D) A motion was made by Ms. Fisher and seconded by Ms. Barker to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item III, Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

IV. COMMITTEE REPORTS:

A. Standards and Disciplinary Procedures Committee. No report.

B. Education, Experience and Testing Committee:

1. Discussion and possible action regarding approval of course submittals. (Exhibit E) A motion was made by Ms. Barker and seconded by Mr. Wheeler to approve the recommendation as presented in Agenda Item IV B (1). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

2. Discussion and possible action regarding approval or disapproval of various applications received and authority to issue certificates. (Exhibit F)

2(A) A motion was made by Mr. Wheeler and seconded by Ms. Barker to approve the application for Trainee credential for the individual listed in Agenda Item IV B 2 (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

2(B) A motion was made by Ms. Barker and seconded by Mr. Snyder to approve the application for reinstatement for the individual listed in Agenda Item IV B 2 (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

2(C) A motion was made by Ms. Barker and seconded by Mr. Wheeler to approve the application for reinstatement for the individual listed in Agenda Item IV B 2 (C). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

2(D) A motion was made by Ms. Barker and seconded by Mr. Snyder to allow staff to be given authority to issue a reciprocal license to the individual listed in agenda item IV B 2 (D). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

3. Discussion and possible action regarding approval or disapproval of experience documentation of applicants. (Exhibit G)

3(A) A motion was made by Ms. Barker and seconded by Mr. Snyder to disapprove experience documentation of applicant listed in Agenda Item IV B 3 (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

3(B) A motion was made by Ms. Barker and seconded by Mr. Snyder to disapprove experience documentation of applicant listed in Agenda Item IV B 3 (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

3(C) A motion was made by Ms. Barker and seconded by Mr. Snyder to disapprove experience documentation of applicant listed in Agenda Item IV B 3 (C). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

C. Legislation and Rules Committee. Legislative Liaison Brett Robinson presented his oral report.

D. Probable Cause Committee.

1. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee. No action.

2. Discussion and possible action regarding standing operating procedures for the Probable Cause Committee. No action.

3. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. No action.

Mr. Allen recused himself from consideration of Agenda Item V due to Probable Cause Committee service.

V. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF DISCIPLINARY HEARING PANEL IN THE MATTER OF DARRIN F. BAILEY, COMPLAINT NUMBER 09-062 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit H)

Ms. Fisher made a motion to accept the Consent Order as presented.

Ms. Fisher then withdrew her motion.

A motion was made by Ms. Fisher and seconded by Mr. Snyder to accept the Hearing Panel recommendation. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recused
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Mr. Allen recused himself from consideration of Agenda Item VI due to Probable Cause Committee service.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD APPROVAL OF A CONSENT ORDER IN THE MATTER OF KYLE M. COLLINS, COMPLAINT NUMBER 09-090 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit I)

A motion was made by Ms. Fisher and seconded by Mr. Snyder to accept the Consent Order as presented. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recused
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Mr. Allen recused himself from consideration of Agenda Item VII due to Probable Cause Committee service.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD APPROVAL OF A CONSENT ORDER IN THE MATTER OF RONALD K. SCOTT, COMPLAINT NUMBER 09-056 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit J)

A motion was made by Ms. Fisher and seconded by Ms. Barker to accept the Consent Order as presented. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recused
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Mr. Allen recused himself from consideration of Agenda Item VII (A) due to Probable Cause Committee service.

VII (A). DISCUSSION AND POSSIBLE ACTION REGARDING BOARD APPROVAL OF A CONSENT ORDER IN THE MATTER OF JIMMIE LOU WHITEKILLER, COMPLAINT NUMBER 09-100 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit K)

A motion was made by Mr. Wheeler and seconded by Ms. Fisher to accept the Consent Order as presented. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recused
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Mr. Caesar recused himself from consideration of Agenda Item VIII due to Probable Cause Committee service.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING NOTICE TO APPEAR AND ORDER TO SHOW CAUSE IN THE MATTER OF TRACY A. STREICH, COMPLAINT NUMBER 06-151, ORDER NUMBER 08-004, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit L)

A motion was made by Mr. Allen and seconded by Ms. Fisher to suspend the individual until such time as a Report of Supervisory Relationship (REA-8) form is received. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF A MEMBER TO THE STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE, WITH CONCURRENT APPOINTMENT AS APPRAISER HEARING OFFICER, FOR THE BALANCE OF CALENDAR YEAR 2010. (Exhibit M)

A motion was made by Ms. Cagle and seconded by Mr. Allen to approve the concurrent appointment. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

X. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR A TEMPORARY PRACTICE PERMIT FROM MR. MARK ROTH (Exhibit N)

A motion was made by Mr. Allen and seconded by Ms. Cagle to disapprove the request for Temporary Practice Permit. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SEVEN VOTES IN THE AFFIRMATIVE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

XI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF REAB BUDGET FOR FISCAL YEAR 2011. (Exhibit O)

A motion was made by Ms. Fisher and seconded by Mr. Snyder to accept the budget as presented. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Excused
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND ONE EXCUSED. THE MOTION WAS AGREED TO.

XII. NEW BUSINESS. No new business.

XIII. ADJOURNMENT.

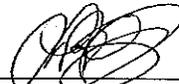
The Board adjourned by general consent.

OFFICIAL MINUTES.

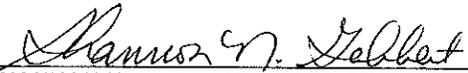
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

The Board caused the entire proceeding of the meeting, excepting any executive sessions, to be recorded on a digital audio recording device to be retained as a record in the office of the Board.

Exhibits are A through O.



LEE R. CAESAR JR., VICE-CHAIRPERSON
OKLAHOMA REAL ESTATE APPRAISER BOARD



SHANNON N. GABBERT, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD