



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

October 8, 2010  
Date

219  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting October 8, 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 September 28, 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 September 28, 2010. The agenda is 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; Shannon N. Gabbert, Board Secretary; and Christine McEntire, Legal Secretary. Others present were: Joe Garnand; Hal Hartsock; Janet Braswell; Duane Warden; Mark Barker; Clint Sloan; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Allen moved that the reading of the minutes of the September 10, 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.

**DIRECTOR'S REPORT.**

A. **Discussion and possible action regarding suspension of individuals for non-payment of annual fees due July 31, 2010.** (Exhibit C) A motion was made by Ms. Fisher and seconded by Mr. Wheeler 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 November 30, 2010 and authority to issue certificates.** (Exhibit D) A motion was made by Mr. Allen 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. Allen to approve the Appraisal Institute courses as presented in Agenda Item IV B (1) 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.

A motion was made by Mr. Allen and seconded by Ms. Barker to accept the recommendation for the Tulsa Technology courses as presented in Agenda Item IV B (1) 2.

After a short discussion regarding the disapprovals of Agenda Item IV B (1) 2 (C-E), both motions were withdrawn.

A motion was made by Mr. Allen and seconded by Mr. Wheeler to table the courses listed in Agenda Item IV B (1) 2 (C-E) until further review by a Board member and accept all other recommendations for the Tulsa Technology courses as presented in Agenda Item IV B (1) 2. 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.

A motion was made by Mr. Wheeler and seconded by Ms. Barker to disapprove the Lowman and Company course as presented in Agenda Item IV B (1) 3. 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.

A motion was made by Mr. Allen and seconded by Ms. Barker to approve the McKissock, LP courses as presented in Agenda Item IV B (1) 4. 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.

A motion was made by Mr. Allen and seconded by Ms. Barker to disapprove the ASFMRA, Oklahoma Chapter course as presented in Agenda Item IV B (1) 5. 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. Allen and seconded by Ms. Barker to allow staff to be given authority to issue a reciprocal license to 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 Mr. Wheeler and seconded by Ms. Cagle to allow staff to be given authority to issue a reciprocal license to 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 Mr. Allen and seconded by Ms. Barker to approve the application for transfer 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 Mr. Allen and seconded by Ms. Barker to approve the application for temporary practice permit for 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) A motion was made by Mr. Allen and seconded by Mr. Snyder to disapprove experience documentation of applicant listed in Agenda Item IV B 3. 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.** No 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.

Mr. Allen recused himself from consideration of Agenda Item IV D (3) due to Probable Cause Committee service.

Mr. Snyder recused himself from consideration of Agenda Item IV D (3) due to Probable Cause Committee service.

3. **Discussion and possible action regarding Probable Cause Committee disciplinary recommendations.** (Exhibit H) Following discussion of Grievance 09-078, a motion was made by Mr. Wheeler that the matter be closed without further action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

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

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

V. **DISCUSSION AND POSSIBLE ACTION REGARDING NOTICE TO APPEAR AND ORDER TO SHOW CAUSE IN THE MATTER OF ROGER H. FORD, COMPLAINT NUMBER 10-066 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit I)

A motion was made by Ms. Fisher and seconded by Mr. Allen to accept Respondent's surrender of his appraiser credential and remove him from the Legislation and Rules Committee.

Both motions were withdrawn in favor of going into executive session.

Ms. Barker made a motion for the Board to enter executive session. 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.

The Chair declared the Board to be back in open session. The Chair ordered a roll call 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.

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

A motion was made by Ms. Fisher and seconded by Ms. Barker to revoke Respondent's appraiser credential without the ability to reapply and remove him from the Legislation and Rules Committee. 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.

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

**VI. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF A DISCIPLINARY HEARING PANEL IN THE MATTER OF DONALD G. STAIGER, COMPLAINT NUMBER 09-119, TO INCLUDE ORAL ARGUMENT AND ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit J)**

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

ROLL CALL VOTE:	Mr. Allen	Recuse
	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.

**VII. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF EMERGENCY RULES IN SUPPORT OF THE OKLAHOMA AMC REGULATION ACT. (Exhibit K)**

A motion was made by Mr. Allen and seconded by Ms. Barker that the emergency rules be approved as presented. 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.

**VIII. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL FOR ISSUANCE OF NOTICE OF RULEMAKING INTENT FOR PERMANENT RULES IN SUPPORT OF THE OKLAHOMA AMC REGULATION ACT.**

A motion was made by Ms. Fisher and seconded by Ms. Barker that the notice of rulemaking intent be issued. 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.

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

**IX. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR REHEARING IN THE MATTER OF DUANE A. WARDEN, COMPLAINT NUMBER 09-104, ORDER NUMBER 10-022, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit L)**

Mr. Caesar made a motion for the Board to enter executive session. The motion was seconded by Ms. Fisher. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recuse
	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.

The Chair declared the Board to be back in open session. The Chair ordered a roll call to establish a quorum.

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

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

A motion was made by Ms. Fisher and seconded by Ms. Barker to deny the motion for rehearing. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recuse
	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.

X. **NEW BUSINESS.** No new business.

XI. **ADJOURNMENT.**

The Board adjourned by general consent.

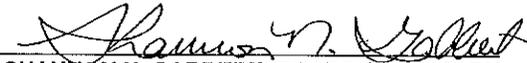
**OFFICIAL MINUTES.**

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 L.

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

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