



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

April 2, 2010
Date

213
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting April 2, 2010 at 9:30 a.m. The Meeting was held in the Boardroom of the offices of the Oklahoma Insurance Department at 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 March 23, 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 March 23, 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 Gabbert, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Janet Braswell; Joe Garnand; Heath Boyles; Ronnie Burk; Hal Hartsock; Connie Burk; Kathleen Crowe; Brett Robinson, Legislative Liaison; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Ms. Fisher moved that the reading of the minutes of the March 5, 2010 session be waived and approved as published and distributed. The motion was seconded by Ms. Barker. 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 January 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 May 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 Ms. Cagle 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. Allen and seconded by Mr. Snyder 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 Mr. Allen 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. Snyder to allow staff to be given authority to issue a reciprocal license to 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 Mr. Snyder to approve the applications for upgrade for the applicants 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 applicants 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. 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.

Mr. Allen 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 a short discussion of the issues pertaining to Grievance 10-003, a motion was made by Mr. Wheeler that the matter be closed without further action. Ms. Fisher 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	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.

Following discussion of Grievance 10-004, a motion was made by Ms. Fisher that the matter be closed without further action. Mr. Snyder 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	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.

Following discussion of Grievance 10-010, a motion was made by Ms. Fisher that the matter be adopted as a formal complaint and forwarded to prosecution for further action. Mr. Snyder 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	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.

Following discussion of the issues pertaining to 10-011, a motion was made by Ms. Fisher that a formal letter of warning be issued and placed in the appraiser's file and that the file 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	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.

Following discussion of Grievance 10-013, a motion was made by Ms. Barker that the matter be adopted as a formal complaint and forwarded to prosecution for further action. Mr. Snyder 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	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.

Ms. Barker recused herself from consideration of Agenda Item V due to Probable Cause Committee service.

V. **DISCUSSION AND POSSIBLE ACTION REGARDING A NOTICE TO APPEAR AND ORDER TO SHOW CAUSE IN THE MATTER OF RONALD E. BURK, COMPLAINT NUMBER 08-006, ORDER NUMBER 09-007, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit I)

A motion was made by Mr. Wheeler and seconded by Ms. Fisher to extend the provisions of the Consent Order, with respect to submission of corrective education only, to July 1, 2010. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Yes
	Ms. Barker	Recuse
	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.

At this time the Board took a five (5) minute recess.

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., Vice-Chairperson;
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.

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

VI. **DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF AN AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL IN LIEU OF DISCIPLINARY PROCEEDINGS WITH RESPECT TO BRIAN E. BLACKBURN ONLY IN THE MATTER OF KATHLEEN P. CROWE AND BRIAN E. BLACKBURN, COMPLAINT NUMBERS 09-032 AND 09-050, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit J)

A motion was made by Ms. Barker and seconded by Ms. Fisher to accept the voluntary surrender of appraiser credential. 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.

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

VII. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF THE DISCIPLINARY HEARING PANEL WITH RESPECT TO KATHLEEN P. CROWE ONLY IN THE MATTER OF KATHLEEN P. CROWE AND BRIAN E. BLACKBURN, COMPLAINT NUMBERS 09-032 AND 09-050, TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit K)

Ms. Barker made a motion to accept the Hearing Panel recommendation. The motion was seconded by Mr. Wheeler.

Mr. Wheeler withdrew his second.

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

ROLL CALL VOTE:	Mr. Allen	Recuse
	Ms. Barker	No
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, ONE 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., Vice-Chairperson;
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.

Ms. Barker made a motion to accept the Hearing Panel recommendation. 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.

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

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST OF DANIEL G. MEIER FOR FOUR MONTH DEFERMENT FOR PAYMENT OF FINES AND COSTS LEVIED BY

**ORDER 09-028, IN THE MATTER OF DANIEL G. MEIER, COMPLAINT NUMBER 08-089,
TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit L)

Ms. Barker made a motion to accept the request for temporary deferment of payment. The motion was seconded by Ms. Cagle. 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	Recuse
	Mr. Caesar	Yes

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 INDIVIDUALS TO THE EDUCATION, EXPERIENCE AND TESTING COMMITTEE AND APPOINTMENT OF INDIVIDUALS TO THE STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE WITH CONCURRENT APPOINTMENT AS APPRAISER HEARING OFFICERS. (Exhibit M)

Ms. Fisher made a motion to accept the nominations as presented. The motion was seconded by Ms. Barker. 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	No
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND ONE OPPOSED. 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 M.



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



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