



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

November 5, 2010  
Date

220  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting November 5, 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 October 26, 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 October 26, 2010. The addendum to the agenda was posted in the main entrance to the offices of the Oklahoma Insurance Department on November 1, 2010 at 2:00 p.m., and was e-mailed or hand-delivered to the offices of the Board members and posted to the REAB website on November 1, 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;  
Kim N. Allen;  
Jana S. Barker; and  
Harold J. Snyder III.

Board members excused were: Kim Holland, Chairperson;  
P. Lane Wheeler, Board Member.

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; Vickie Wiggins; Janet Braswell; Rachel Mor; Clint Sloan; John Story; C. Barrett; Hollie Baker; Greg Ward; Vaughn Iskanian; 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 October 8, 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. Caesar	Yes

THE RESULT WAS SIX 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.

At this point, Agenda Item V was taken out of order, by order of the Chair.

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

Ms. Cagle recused herself from consideration of Agenda Item V due to personal knowledge.

Mr. James R. Artman was appointed Pro Tem member of the Board by the Governor to complete the quorum. A copy of the appointment is attached as Exhibit C.

V. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF A DISCIPLINARY HEARING PANEL IN THE MATTER OF HARRIETTE L. MCCOLLOUGH, COMPLAINT NUMBER 09-134 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit D)

Ms. Fisher made a motion for the Board to enter 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	Recused
	Ms. Barker	Yes
	Mr. Artman	Yes
	Mr. Snyder	Yes
	Ms. Fisher	Yes
	Ms. Cagle	Recused
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND TWO 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;  
James R. Artman;  
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 accept the Hearing Panel recommendation as presented. The Chair ordered a roll call vote with the following results:

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

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

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

Mr. Caesar recused himself from consideration of Agenda Item VI due to personal knowledge.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION OF A DISCIPLINARY HEARING PANEL IN THE MATTER OF (A) JANET BRASWELL AND (B) THE AMERICAN INSTITUTE OF REAL ESTATE EDUCATION, COMPLAINT NUMBER 10-009, TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit E)

A motion was made by Ms. Fisher and seconded by Ms. Cagle to appoint Mr. Snyder as temporary Vice-Chair. The Chair ordered a roll call vote with the following results:

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

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

During oral argument, Board Prosecutor Sue Wycoff objected to a statement made by Respondents' attorney during oral argument. A motion was made by Ms. Fisher and seconded by Ms. Cagle to sustain the objection. The Chair ordered a roll call vote with the following results:

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

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

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

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

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND TWO 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: Patti L. Fisher;  
Betty J. Cagle;  
James R. Artman;  
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. Barker and seconded by Ms. Cagle to accept the Hearing Panel Recommendation as presented. The Chair ordered a roll call vote with the following results:

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

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

Mr. Artman was excused from service as a Pro Tem Board member.

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

VII. **DISCUSSION AND POSSIBLE ACTION REGARDING GREGORY K. WARD'S APPLICATION FOR REHEARING, REOPENING OR RECONSIDERATION OF BOARD ACTION IN THE MATTER OF GREGORY K. WARD AND BOBBI L. MILLEA, ORDER NUMBER 10-021, COMPLAINT NUMBER 10-110, TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit F)

A motion was made by Ms. Fisher and seconded by Ms. Barker to enter executive session. 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. Caesar	Yes

THE RESULT WAS FIVE 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;  
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 rehearing, deny the stay and mandate that the cost of prosecution be remitted thirty (30) days from November 5, 2010. 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. Caesar	Yes

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

At this point, the Session returned to regular order.

**DIRECTOR'S REPORT.**

A. **Discussion and possible action regarding suspension of individuals for non-payment of annual fees due August 31, 2010.** (Exhibit G) A motion was made by Ms. Fisher and seconded by Mr. Snyder 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. Caesar	Yes

THE RESULT WAS SIX 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 December 31, 2010 and authority to issue certificates.** (Exhibit H)

A. 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 A, 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. Caesar	Yes

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

B. 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 B, 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. Caesar	Yes

THE RESULT WAS SIX 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 I) A motion was made by Mr. Allen and seconded by Ms. Barker 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. Caesar	Yes

THE RESULT WAS SIX 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 J)

2(A) A motion was made by Mr. Allen and seconded by Ms. Barker to approve the applications for Trainee credentials for the individuals 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. Caesar	Yes

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

2(B) 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 (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. Caesar	Yes

THE RESULT WAS SIX 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 K)**

A. A motion was made by Mr. Allen and seconded by Ms. Barker 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. Caesar	Yes

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

Mr. Caesar recused himself from consideration of Agenda Item IV B 3 (B) due to personal knowledge.

B. A motion was made by Mr. Allen and seconded by Ms. Barker 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. Caesar	Recused

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

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

At this point, Agenda Item VIII A was taken out of order, by order of the Chair.

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

**VIII(A). DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FROM DUANE A. WARDEN FOR RELIEF FROM THE STATUTORY PROVISIONS IN 59 O.S. § 858-723 B 2 AND 4 RELATING TO FINES AND COSTS ASSOCIATED WITH ORDER 10-022, COMPLAINT 09-104, IN THE MATTER OF DUANE A. WARDEN.** (Exhibit L)

Ms. Fisher made a motion to take no action.

The motion was withdrawn.

A motion was made by Ms. Fisher and seconded by Mr. Snyder to deny Respondent's request for statutory relief. 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. Caesar	Yes

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

At this point, the Session returned to regular order.

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE LEGISLATIVE ACTION TO AMEND OKLAHOMA CERTIFIED REAL ESTATE APPRAISERS ACT. Tabled to December 3, 2010 meeting.

IX. NEW BUSINESS. No new business.

X. ADJOURNMENT.

The Board adjourned by general consent.

OFFICIAL MINUTES.

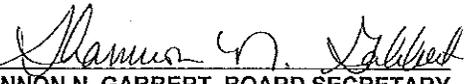
The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

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.



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



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