



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

January 8, 2010
Date

210
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting January 8, 2010 at 9:30 a.m. The Meeting was held in the Boardroom of the offices of the Oklahoma Insurance Department at 2401 Northwest 23rd Street, Suite 28, 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 with a copy at Entrance A to Shepard Mall, at 2401 Northwest 23rd Street, Suite 28, Oklahoma City, Oklahoma on December 31, 2009 at 3:30 p.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on December 31, 2009. 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.;
Betty J. Cagle;
P. Lane Wheeler;
Kim N. Allen; and
Jana S. Barker.

Board members excused were: Kim Holland, Chairperson;
Patti L. Fisher, Board member; and
Harold J. Snyder III, 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 Pouncy, attorney for Commissioner Kim Holland; Bryan Neal, Assistant Attorney General; Shannon Gabbert, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Hal Hartsock; Connie Burk; DeKay Bayliffe; Joe Garnand; Janet Braswell; Lesa Smaligo, Legislative Liaison; Steve McCaleb, Board Prosecutor; and Sue Wycoff, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Allen moved that the reading of the minutes of the December 4, 2009 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
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE 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 October 31, 2009.** (Exhibit C) A motion was made by Mr. Allen and seconded by Ms. Barker 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
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

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

B. Discussion and possible action regarding approval of renewal applications due February 28, 2010 and authority to issue certificates. (Exhibit D) A motion was made by Ms. Barker and seconded by Mr. Wheeler 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
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

THE RESULT WAS FIVE 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
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

THE RESULT WAS FIVE 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) A motion was made by Mr. Allen and seconded by Mr. Wheeler to approve the applications as presented in agenda item IV B 2. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Allen	Yes
Ms. Barker	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

THE RESULT WAS FIVE 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(1) A motion was made by Mr. Wheeler and seconded by Mr. Allen to disapprove experience documentation of applicant listed in agenda item IV B 3 (1). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Allen	Yes
Ms. Barker	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

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

3(2) A motion was made by Mr. Wheeler and seconded by Mr. Allen to disapprove experience documentation of applicant listed in agenda item IV B 3 (2). The Chair ordered a roll call vote with the following results:

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

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

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

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

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

C. **Legislation and Rules Committee.** Legislative Liaison Lesa Smaligo presented her 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.

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

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

VI. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER WITH TODD BERMAN IN THE MATTER OF TODD BERMAN AND RAY TUCKER, COMPLAINT NUMBER 09-027 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.** (Exhibit H)

A motion was made by Mr. Wheeler 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
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes
	Commissioner Holland	Present

THE RESULT WAS FOUR VOTES IN THE AFFIRMATIVE, NONE OPPOSED, ONE RECUSED AND ONE PRESENT. 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 A CONSENT ORDER WITH RAY TUCKER IN THE MATTER OF TODD BERMAN AND RAY TUCKER, COMPLAINT NUMBER 09-027 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS. (Exhibit I)

A motion was made by Mr. Wheeler 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
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes
	Commissioner Holland	Present

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

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING REVISIONS TO THE UNIFORM SCHEDULE OF SUGGESTED PUNISHMENTS, Agenda Item VIII tabled to February 12, 2010 Board meeting.

At this point, the Session returned to regular order.

Mr. Allen recused himself 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 REBECCA D. SEELEY, COMPLAINT NUMBER 08-047, ORDER NUMBER 09-005. (Exhibit J)

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	Recused
	Ms. Barker	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes
	Commissioner Holland	Present

THE RESULT WAS FOUR VOTES IN THE AFFIRMATIVE, NONE OPPOSED, ONE RECUSED AND ONE PRESENT. 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: Commissioner Holland;
Lee R. Caesar Jr.;
Betty J. Cagle;
P. Lane Wheeler; and
Jana S. Barker.

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

Ms. Barker made a motion to issue an order to revoke the individual listed in Agenda Item V. The motion was seconded by Mr. Wheeler. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Allen	Recused
	Ms. Barker	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes
	Commissioner Holland	Present

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

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 J.



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



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