



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

December 6, 2017
Date

305
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a regular session meeting on December 6, 2017 at 9:35 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 Monday, December 4, 2017 at 9:30 a.m., and transmitted to the offices of the Board members on November 29, 2017 and posted to the REAB website on December 4, 2017. The agenda is attached as Exhibit "A".

- I. **CALL TO ORDER.** Stephen C. Walton called the meeting to order at 9:35 a.m. The roll of Board members was called to establish a quorum.

Board members present were: Stephen C. Walton;
James R. Artman;
Betty J. Cagle;
H.E. Ted Smith;
Becky Zarecki;

Board members excused were: John D. Doak, Shelley Pruitt and Patty Broome

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

Others in attendance were: Christine McEntire, Director; Bryan Neal, Assistant Attorney General; Barron Brown, OID Counsel; Eric Schoen, Board Secretary and Sherry Ainsworth, Legal Secretary. Others present were: Steve McCaleb, Ron Flowers, Crystal Flowers, Patricia Podolec, Odell Campbell, Brett Robinson, Terry Berry and Danny Berry.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit "B")

Mr. Artman moved that the reading of the minutes of the November 1, 2017 session be waived and approved as published and distributed. The Motion was seconded by Mr. Smith. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Excused
	Ms. Zarecki	Yes

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

TAKEN OUT OF ORDER.

- XII. **DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR MODIFICATION OF ORDER TO ALLOW ATTENDANCE AT USPAP COURSE NUMBER 600 OUT OF TIME; AS TO BOARD ORDER #17-021 IN THE MATTER OF PETER R. FULMER; COMPLAINT #15-034.** (Exhibit "C")

Mr. Walton is recused from consideration of Agenda Item XII. in his former capacity as Chair of the Probable Cause Committee.

Patricia Podolec, counsel for the respondent, was advised that Mr. Walton was the Chair of

the Probable Cause Committee and is recused in this matter creating a quorum issue. In lieu of waiting on the arrival of Ms. Broome, Ms. Podolec agreed to waive the quorum issue in order for the Board to hear this agenda item.

Following a brief discussion by Stephen McCaleb and Patricia Podolec, Ms. Cagle moved to accept the requested modification to the consent order listed in Agenda Item XII. The Motion was seconded by Mr. Smith. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Ms. Broome	Excused
	Ms. Zarecki	Yes

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

TAKEN OUT OF ORDER.

V. DISCUSSION AND POSSIBLE ACTION REGARDING RESPONDENT'S MOTION TO EXTEND DEADLINE IN THE MATTER OF TERRY LYNN BERRY; COMPLAINT #16-029 AS TO BOARD ORDER #17-016 AND DEADLINE RELATED TO CORRECTIVE EDUCATION; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "D")

Mr. Artman is recused from consideration of Agenda Item V. in his capacity as Chair of the Probable Cause Committee.

Odell Campbell, counsel for the respondent, was advised that Mr. Artman is the Chair of the Probable Cause Committee and is recused in this matter creating a quorum issue. In lieu of waiting on the arrival of Ms. Broome, Mr. Campbell agreed to waive the quorum issue in order for the Board to hear this agenda item.

Following a brief discussion by Stephen McCaleb and Odell Campbell, Mr. Smith moved to accept the requested modifications to the consent order listed in Agenda Item V. The Motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Excused
	Ms. Zarecki	Yes

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

Patty Broome entered the meeting.

III. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT IN THE MATTER OF ROBB E. GLENDENING; COMPLAINT #16-047; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "E")

Mr. Artman is recused from consideration of Agenda Item III. in his capacity as Chair of the Probable Cause Committee.

Following a brief presentation by Mr. McCaleb, Mr. Smith moved to accept the consent agreement listed in Agenda Item III. The Motion was seconded by Ms. Broome. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes

Mr. Walton	Yes
Ms. Pruitt	Excused
Mr. Broome	Yes
Ms. Zarecki	Yes

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

IV. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT IN THE MATTER OF MICHAEL D. FLESHER; COMPLAINT #17-002 AND COMPLAINT #17-005; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. No action.

Following a brief discussion by Stephen McCaleb, Agenda Item IV. was tabled to the January Board meeting.

VI. 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 on September 30, 2017. No report.

B. Discussion and possible action regarding approval of renewal applications due by January 31, 2018 and authority to issue certificates. (Exhibit "F")

Ms. Zarecki made a Motion and it was seconded by Mr. Smith to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item VI., Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

C. Discussion and possible action regarding approval of original certificate of registration for appraisal management companies. No report.

D. Discussion and possible action regarding approval of AMC renewal applications due by January 31, 2018 and authority to issue certificates. (Exhibit "G")

Mr. Artman made a Motion and it was seconded by Ms. Broome to issue renewal certificates to the companies listed in Agenda Item VI., Director's Report D. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

VII. 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 "H")

(A) Mr. Artman made a Motion and it was seconded by Ms. Zarecki to approve the recommendation as presented in Agenda Item VII. B. 1. A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

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

(A) Mr. Artman made a Motion and it was seconded by Ms. Zarecki to allow staff to be given authority to issue original certificates to the individuals listed in Agenda Item VII. B. 2. (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

(B) Ms. Zarecki made a Motion and it was seconded by Ms. Broome to allow staff to be given authority to issue an original trainee certificate to the individuals listed in Agenda Item VII. B. 2. (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

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

(A) Mr. Artman made a Motion and it was seconded by Mr. Smith to allow staff to be given authority to issue an upgrade certificate to the individual listed in Agenda Item VII. B. 3. (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes

Ms. Zarecki

Yes

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

C. Legislation & Rules Committee. No action.

Brett Robinson offered a brief presentation as to the First Extraordinary Session of the 56th Legislature which ran between Monday, September 25th, 2017 and Friday, November 17th, 2017.

D. Probable Cause Committee.

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

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

3. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. (Exhibit "K")

Mr. Artman is recused from consideration of Agenda Item VII. in his capacity as Chair of the Probable Cause Committee.

Following discussion of Grievance #17-028, Ms. Cagle made a Motion and it was seconded by Mr. Smith that the appraiser be issued a Letter of Warning, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-031, Mr. Smith made a Motion and it was seconded by Ms. Cagle that the matter be dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-032, Mr. Smith made a Motion and it was seconded by Ms. Broome that the appraiser be issued a Non-Disciplinary Letter of Concern, matter dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-033, Ms. Zarecki made a Motion and it was seconded by Ms. Broome that the matter be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #A17-034, Mr. Smith made a Motion and it was seconded by Ms. Cagle that the appraiser be issued a Non-Disciplinary Letter of Concern, matter dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #A17-035, Ms. Cagle made a Motion and it was seconded by Ms. Broome that the appraiser be issued a Non-Disciplinary Letter of Concern, matter dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-036, Mr. Smith made a Motion and it was seconded by Ms. Zarecki that the matter be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-037, Ms. Cagle made a Motion and it was seconded by Ms. Broome that the appraiser be issued a Letter of Warning, file closed and no further

action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-038, Mr. Smith made a Motion and it was seconded by Ms. Broome that the matter be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-041, Mr. Smith made a Motion and it was seconded by Ms. Zarecki that the matter be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

Following discussion of Grievance #17-042, Ms. Zarecki made a Motion and it was seconded by Ms. Broome that the matter be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF INDIVIDUALS TO EDUCATION, EXPERIENCE AND TESTING COMMITTEE; LEGISLATION AND RULES COMMITTEE; AND INDIVIDUALS TO STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE WITH CONCURRENT APPOINTMENT AS APPRAISER HEARING OFFICERS FOR THE CALENDAR YEAR 2018. (Exhibit "L")

Ms. Cagle made a Motion and it was seconded by Ms. Broome to replace Kurt J. Knudsen on the Education, Experience and Testing Committee with Robert B. Sasser. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

IX. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF BOARD MEMBERS AS CO-CHAIRS OF THE BOARD'S STANDING COMMITTEES FOR THE CALENDAR YEAR 2018.

Mr. Artman made a Motion and it was seconded by Mr. Smith to accept the current appointment of Board members as co-chairs of the Board's standing committees for the calendar year 2018 in addition to the appointment of Mr. Walton as Vice-Chairperson for the calendar year 2018. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

X. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF A BOARD MEMBER AS VICE-CHAIRMAN FOR THE CALENDAR YEAR 2018.

Agenda items IX. and X. were heard concurrently and voted on once.

Mr. Artman made a Motion and it was seconded by Mr. Smith to accept the current appointment of Board members as co-chairs of the Board's standing committees for the calendar year 2018 in addition to the appointment of Mr. Walton as Vice-Chairperson for the calendar year 2018. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

XI. DISCUSSION AND POSSIBLE ACTION REGARDING THE APPRAISAL SUBCOMMITTEE'S BULLETIN #17-01 AS TO THE IMPLEMENTATION OF THE NATIONAL REGISTRY OF AMCS AND ASSOCIATED DEADLINES; AND BULLETIN #17-02 AS TO THE SPECIFICS ON HOW STATES MAY APPLY FOR AN EXTENSION OF THE IMPLEMENTATION PERIOD FOR AMC PROGRAMS. (Exhibit "N") No action.

The Board held a brief discussion regarding agenda item XI.

XIII. NEW BUSINESS.

XIV. 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 N.





STEPHEN C. WALTON, VICE-CHAIRPERSON
OKLAHOMA REAL ESTATE APPRAISER BOARD



ERIC M. SCHOEN, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD