



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

January 7, 2015

Date

270

Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a regular meeting on January 7, 2015 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 Monday, January 5, 2015 at 9:00 a.m., and transmitted to the offices of the Board members on December 30, 2014 and posted to the REAB website on January 5, 2015. 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: John D. Doak;
 Lee R. Caesar Jr.;
 James R. Artman;
 P. Lane Wheeler;
 Stephen C. Walton;
 John P. Smithson

Board members excused were: Betty J. Cagle and Shelley Pruitt

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 Ashley Snider, Legal Secretary. Others present were: Steve McCaleb, Mike Cordell, Ron Flowers, Crystal Flowers, Joe Garnand, Tyler McLaughlin, and Bob Morgan.

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

Mr. Wheeler moved that the reading of the minutes of the December 3, 2014 session be waived and approved as published and distributed. The Motion was seconded by Mr. Artman. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

- III. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT AS TO COMPLAINT #14-004; IN THE MATTER OF PHILLIP JAMES; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "C")

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

Mr. Walton moved that the Board approve Mr. Wheeler as temporary vice-chairperson. The Motion was seconded by Mr. Wheeler. The Chair ordered a roll call vote with the following

results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Recused

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

After a brief discussion by Steve McCaleb, Mr. Walton moved that the Board accept the consent agreement as presented. The Motion was seconded by Mr. Artman. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Recused

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

VIII. **DISCUSSION AND POSSIBLE ACTION REGARDING COMPLAINT #13-004; IN THE MATTER OF ANNEMIEKE E. ROELL AND A REQUEST FOR MODIFICATION OF THE TERMS OF BOARD ORDER #14-004 TO INCLUDE ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "D")

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

After a brief explanation and discussion by Bob Morgan, Mr. Walton moved that the board allow Annemieke E Roell to take the remainder of her board-ordered corrective education courses online and not in person. The Motion was seconded by Mr. Artman. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Recused

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

V. **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 October 31, 2014.** (Exhibit "E")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to issue an order to suspend the individuals listed in Agenda Item V, Director's Report A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused

Mr. Wheeler	Yes
Mr. Walton	Yes
Ms. Pruitt	Excused
Mr. Smithson	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 by February 28, 2015 and authority to issue certificates. (Exhibit "F")

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

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

C. Discussion and possible action regarding approval of original certificates of registration for Appraisal Management Companies. (Exhibit "G")

Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to approve Board staff to issue an original certificate of registration to the company listed in Agenda Item V, Director's Report C. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

D. Discussion and possible action regarding approval of AMC renewal applications due by February 28, 2015 and authority to issue certificates. (Exhibit "H")

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

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

VI. 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")

Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to approve the recommendation as presented in Agenda Item VI. B. 1. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	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 reciprocal applications received and authority to issue certificates. (Exhibit "J")

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

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

(B) Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to allow staff to be given authority to issue the applicants trainee appraiser credentials to the individuals listed in Agenda Item VI B. 2 (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	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 "K")

(A) Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to allow staff to be given authority to issue upgrade certificates to the individuals listed in Agenda Item VI. B. 3. (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Mr. Smithson	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.** 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.** (Exhibit "L")

Mr. Walton is recused from consideration of Agenda Item VI D 3 in his capacity as Chair of the Probable Cause Committee.

Following discussion of Grievance #14-011, Mr. Wheeler made a motion and it was seconded by Mr. Smithson that a non-disciplinary letter of warning be issued, the file closed, and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-017, Mr. Wheeler made a motion and it was seconded by Mr. Smithson that a non-disciplinary letter of warning be issued, the file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-032, Mr. Wheeler made a motion and it was seconded by Mr. Artman that this matter will be closed upon receipt of the recommended course completion certificate and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-034, Mr. Wheeler made a motion and it was seconded by Mr. Artman that this matter be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-035, Mr. Wheeler made a motion and it was seconded by Mr. Smithson that a letter of warning be issued, the file closed, and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-036, Mr. Wheeler made a motion and it was seconded by Mr. Smithson that this matter be dismissed, the file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-039, Mr. Wheeler made a motion and it was seconded by Mr. Smithson that this matter be dismissed, the file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievances #14-040, #14-041 and #14-042, Mr. Wheeler made a motion and it was seconded by Mr. Smithson that all three matters be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes

Mr. Walton	Recused
Ms. Pruitt	Excused
Mr. Smithson	Yes
Mr. Caesar	Yes

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

Following discussion of Grievance #14-043, Mr. Wheeler made a motion and it was seconded by Mr. Smithson that this matter be dismissed, the file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-044, Mr. Wheeler made a motion and it was seconded by Mr. Artman that this matter be dismissed, the file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

Following discussion of Grievance #14-045, Mr. Wheeler made a motion and it was seconded by Mr. Artman that this matter be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Excused
	Mr. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Excused
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

VII. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF BRANDON LUX TO THE STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE WITH CONCURRENT APPOINTMENT AS AN APPRAISER HEARING OFFICER FOR THE CALENDAR YEAR 2015. (Exhibit "M")

Mr. Wheeler made a motion and it was seconded by Mr. Smithson that Brandon Lux be appointed to the Standards and Disciplinary Procedures committee. The Chair ordered a roll call vote with the following results:

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

Mr. Smithson	Yes
Mr. Caesar	Yes

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

IV. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT AS TO COMPLAINT #09-133; IN THE MATTER OF WILLIAM S. MCGARRY TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.**

Tabled to the February 4, 2014 board meeting.

IX. **NEW BUSINESS.** No Action.

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 M.



A handwritten signature in black ink, appearing to be "Lee R. Caesar Jr.", written over a horizontal line.

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

A handwritten signature in blue ink, appearing to be "Eric M. Schoen", written over a horizontal line.

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