

**BEFORE THE REAL ESTATE APPRAISER BOARD
STATE OF OKLAHOMA**

In the Matter of ELIZABETH A. FISCHER,)	
)	Complaint #13-021
Respondent.)	

**BOARDS ORDER AS TO
DISCIPLINARY HEARING PANEL RECOMMENDATION**

ON THE 4th day of February, 2015, the above numbered and entitled cause came on before the Oklahoma Real Estate Appraiser Board (the “Board”) following a disciplinary hearing commencing on the 24th day of September, 2014 and continuing over a three-day period. The Board was represented by a Disciplinary Hearing Panel composed of three (3) members, Jerry L. Jones of Shawnee, Oklahoma, Michael C. Prochaska of Chickasha, Oklahoma, and Robert J. Dunkle of Skiatook, Oklahoma. Jerry L. Jones was elected and served as Hearing Panel Chairman at the hearing. Said panel was represented by the Board’s attorney, Assistant Attorney General Bryan Neal. The case was prosecuted by the Board’s Prosecutor, Stephen L. McCaleb. On behalf of the Board, Mr. McCaleb elected to have this matter recorded by electronic device and to rely on the electronic recording.

The Respondent, Elizabeth A. Fischer, of Nichols Hills, Oklahoma (the “Respondent” or “Fischer”), having been mailed a copy of the Notice of Disciplinary Proceedings and Appointment of Hearing Panel (the “Notice”) by first class U.S. certified mail with return receipt requested to her last known address, on June 23, 2014, pursuant to the Oklahoma Certified Real Estate Appraisers Act, 59 O.S. § 858-724, and the Oklahoma Administrative Procedures Act, 75 O.S. §§250-323, appeared in person and was represented by an attorney at the Hearing named Daniel J. Gamino, Daniel J. Gamino & Associates, Oklahoma City, Oklahoma. The Respondent elected to have this matter recorded by electronic device and to rely on the electronic recording.

As the Board’s Prosecutor, Mr. McCaleb presented his opening statement on behalf of the Board and the Respondent likewise presented her opening statement through her Attorney in her defense at the

beginning of the Hearing.

PRELIMINARY MATTERS

As a preliminary matter, the Respondent invoked the rule of sequestration, also known in the Board's Rules as the witness exclusion rule (OAC 600:15-1-8), to exclude witnesses from being present in the Hearing Room when they were not testifying, to which rule invocation there was no objection by the Board's Prosecutor. At that time, the witness exclusion rule having been properly invoked pursuant to the Board's rules at OAC 600:15-1-8, the Board's Hearing Counsel asked everyone who was to be a witness in this proceeding to leave the Hearing Room except the Respondent. The Board's Director remained in the room with no objection from the Respondent. No other preliminary matters were raised by either party to this proceeding.

Neither party to these proceedings requested that a court reporter record this matter and neither party to these proceedings submitted any proposed findings of fact or proposed conclusions of law to the Disciplinary Hearing Panel for their consideration.

WITNESSES AND EVIDENCE PRESENTED

Board's Witnesses

The Board's Prosecutor presented two (2) witnesses in support of the case against the Respondent on the first day of the Hearing and two (2) additional witnesses on the second day of the hearing: (1) Anna Woodard, the grievant and a former employee of the Respondent and the Respondent's company ABC Appraisal Service, Inc.; (2) Jennifer Morris, a bookkeeper and a former employee of the Respondent and the Respondent's company ABC Appraisal Service, Inc.; (3) Greg Dean Taylor, formerly a trainee appraiser and a former employee of the Respondent and the Respondent's company ABC Appraisal Service, Inc.; and, (4) Christine McEntire, the Board's Director, for a total of four (4) witnesses.

Respondent's Witnesses

The Respondent presented three (3) witnesses in support of the defense case of the Respondent on Day 2 of the Hearing (September 24, 2014), continued with testimony of Suzanne Rooney on Day 3 of the Hearing and four (4) witnesses in support of the Respondent's defense on Day 3 of the Hearing; (1) Greg Dean Taylor, formerly a trainee appraiser and a former employee of the Respondent's company ABC Appraisal Service, Inc.; (2) Robert Lee Elder, III, an attorney and former boyfriend of the Respondent; (3) Suzanne Rooney, formerly a trainee appraiser and a current employee and State Licensed Appraiser of the Respondent's company ABC Appraisal Service, Inc. (Ms. Rooney's testimony began on Day 2 of the Hearing and continued on Day 3 of the Hearing); (4) Shannon Zoeller, an administrative assistant to Respondent and a current employee of the Respondent's company ABC Appraisal Service, Inc.; (5) Diane B. Ward, a bookkeeper and both a former employee and a current employee of the Respondent's company ABC Appraisal Service, Inc.; (6) David James, an attorney and current fiancé of the Respondent; and, (7) the Respondent Elizabeth A. Fischer; for a total of seven (7) witnesses.

Board's Exhibits

Through the course of this proceeding, the Board's Prosecutor moved for and secured the admission of twenty-nine (29) exhibits into evidence (Board's Exhibits 2 through 30, inclusive). The Board's Exhibit 1 was not submitted to the Panel and was not admitted into evidence.

The Board's Exhibit 2 was an appraisal report on 2100 Stepping Stone Trail, Edmond, Oklahoma, with an effective date of June 16, 2013, and signed by the Respondent on June 18, 2013.

The Board's Exhibit 3 was an appraisal report on 7308 N.W. 113th Street, Oklahoma City, Oklahoma, with an effective date of August 13, 2013, and signed with the Respondent's electronic signature on August 19, 2013, with no disclosure of any assistance from anyone.

The Board's Exhibit 4 consists of 39 pages of Screen Shots of Grievant Anna Woodard's text messages between Woodard and Fischer.

The Board's Exhibit 5 are e-mail exchanges between Anna Woodard and Fischer, Anna Woodard's time records and Anna Woodard's expense records.

The Board's Exhibit 6 is an e-mail from Anna Woodard forwarded to the Board's Director.

The Board's Exhibit 7 is an e-mail exchange between Anna Woodard and Fischer regarding Watonga appraisal report (RR 2, Box 31, Watonga, Oklahoma).

The Board's Exhibit 8 is Trainee-Supervisor Course Submission prepared by Anna Woodard in Fischer's name.

The Board's Exhibit 9 is Fischer e-mail regarding termination of Anna Woodard for Anna Woodard failure to sign Non-Compete Agreement.

The Board's Exhibit 10 is the Response to the Grievance filed with the Board by Fischer on October 11, 2013, with Anna Woodard's pay stubs, health insurance information, time records and notice of application for unemployment compensation attached.

The Board's Exhibit 11 is Trainee Appraiser Suzanne Rooney's trainee appraiser experience log.

The Board's Exhibit 12 (short stack) contains fifteen (15) appraisal reports issued by the Respondent with her electronic signature from July 13, 2013, to and including July 18, 2013 (period of Colorado trip).

The Board's Exhibit 13 (tall stack) contains thirty-nine (39) appraisal reports issued by the Respondent with her electronic signature from August 18, 2013, to and including September 3, 2013 (period of Hawaii trip).

The Board's Exhibit 13A contains selected excerpts of appraisal reports from the Board's Exhibit 13 (tall stack) of thirty-nine (39) appraisal reports.

The Board's Exhibit 14 consists of an Respondent appraisal report (REO transaction with NPDC, International Plaza II, Dallas, TX as Lender) for 5108 E. Foreman Street, El Reno, Oklahoma, a property owned by Ralph Mendoza.

The Board's Exhibit 15 contains text messages between Anna Woodard and Suzanne Rooney, 90397TRA.

The Board's Exhibit 16 is a facebook page from Alexandra Fischer, daughter of Respondent, evidencing five day vacation trip to Colorado.

The Board's Exhibit 17 is a document prepared by Jennifer Morris containing addresses of properties that she inspected, addresses of properties for appraisal reports that she assisted on and addresses of four funeral homes and a dental office that she recognizes but did not recall the quantity of work she did in the respective appraisal reports.

The Board's Exhibit 18 is an unsigned Non-Compete Agreement prepared by Attorney Robert Lee Elder, III, for Anna Woodard's signature.

The Board's Exhibit 19 is a Report of Supervisory Relationship for Suzanne Rooney signed on January 15, 2010, by Rooney and Fischer.

The Board's Exhibit 20 is a Report of Supervisory Relationship for Greg Dean Taylor signed on April 16, 2013, by Taylor and Fischer.

The Board's Exhibit 21 consists of a Respondent appraisal report (Refinance transaction with Great Nations Bank as Lender) for 1016 NW 99th Street, Oklahoma City, Oklahoma, a property owned by Complete Home Rentals, LLC., a company owned by Robert Lee Elder, III, while he and the Respondent were dating in 2013.

The Board's Exhibit 22 consists of a Respondent appraisal report (Purchase transaction with no Lender listed) for 172 and 174 N.E. 12th Street, Moore, Oklahoma, properties owned by Complete Home

Rentals, LLC., a company owned by Robert Lee Elder, III, while he and the Respondent were dating in 2013.

The Board's Exhibit 23 consists of a Respondent appraisal report (Refinance transaction with Great Nations Bank Lender) for 301 N.W. 84th Street, Oklahoma City, Oklahoma, a property owned by Complete Home Rentals, LLC., a company owned by Robert Lee Elder, III, while he and the Respondent were dating in 2013.

The Board's Exhibit 24 consists of a Respondent appraisal report (Purchase transaction with All America Bank Lender) for 136 NE 12th Street, #182, Moore, Oklahoma, a property owned by Complete Home Rentals, LLC., a company owned by Robert Lee Elder, III, while he and the Respondent were dating in 2013.

The Board's Exhibit 25 consists of a Respondent appraisal report (Refinance transaction with Great Nations Bank) for 8605 N.E. 10th Street, Midwest City, Oklahoma, a property owned by Complete Home Rentals, LLC., a company owned by Robert Lee Elder, III, while he and the Respondent were dating in 2013.

The Board's Exhibit 26 consists of a Respondent appraisal report for 4732 N. Cromwell Ave., Oklahoma City, Oklahoma, with an effective date of July 5, 2013, that was signed by the Respondent on July 17, 2013, while she was out of state in Colorado on vacation from July 13, 2013, to July 18, 2013.

The Board's Exhibit 27 consists of a Respondent appraisal report for 2931 Meadowview Drive, Woodward, Oklahoma, with an effective date of July 6, 2013, that was signed by the Respondent on July 16, 2013, while she was out of state in Colorado on vacation from July 13, 2013, to July 18, 2013.

The Board's Exhibit 28 consists of a Respondent appraisal report for 2333 N.W. 121st Street, Oklahoma City, Oklahoma, with an effective date of July 6, 2013, that was signed by the Respondent on July 17, 2013, while she was out of state in Colorado on vacation from July 13, 2013, to July 18, 2013.

The Board's Exhibit 29 consists of a Respondent appraisal report for 1211 Cedar Place, Woodward, Oklahoma, with an effective date of July 8, 2013, that was signed by the Respondent on July 17, 2013, while she was out of state in Colorado on vacation from July 13, 2013, to July 18, 2013.

The Board's Exhibit 30 consists of a Respondent appraisal report for 16500 Sunflower Drive, Yukon, Oklahoma, with an effective date of July 9, 2013, that was signed by the Respondent on July 17, 2013, while she was out of state in Colorado on vacation from July 13, 2013, to July 18, 2013.

Respondent's Exhibits

Through the course of this proceeding, the Respondent moved for and secured the admission of thirteen (13) exhibits into evidence (Respondent's Exhibits 2 through 4, 6 through 8, 10, 11 (pages 1 & 4), 12, 13 (pages 1 & 10), 14, 15, and 18).

The Respondent's Exhibit 1 (not admitted).

The Respondent's Exhibit 2 Fischer Grievance Response.

The Respondent's Exhibit 3 is a sketch of Fisher's Home Office in Nichols Hills.

The Respondent's Exhibit 4 consists of photographs of Fischer's Home and Office in Nichols Hills.

The Respondent's Exhibit 5 (not admitted-Witness unavailable)

The Respondent's Exhibit 6 is Diane B. Ward Letter dated October 6, 2013.

The Respondent's Exhibit 7 is Greg Dean Taylor's e-mail from October, 2013, regarding the reasons he left employment with Fischer.

The Respondent's Exhibit 8 is Suzanne Rooney's letter.

The Respondent's Exhibit 9 (not admitted- Witness not available).

The Respondent's Exhibit 10 is selected time records of Anna Woodard.

The Respondent's Exhibit 11 pages 1 and 4 only with Unemployment information on Anna Woodard.

The Respondent's Exhibit 12 is first Notice of Claim for Unemployment by Anna Woodard.

The Respondent's Exhibit 13 pages 1 and 10 only Elizabeth A. Fischer Letter to Board (undated) asserting that Grievant Anna Woodard, who has never been licensed as an appraiser, violated 59 O.S. §858-723(C)(5), (C)(9), and (C)(11), as well as 59 O.S. §858-732(A)(1).

The Respondent's Exhibit 14 consists of Letters regarding Respondent's special needs daughter Liza Fischer from three (3) Health Care Providers.

The Respondent's Exhibit 15 (not submitted or admitted).

The Respondent's Exhibit 16 (not submitted or admitted).

The Respondent's Exhibit 17 (not submitted or admitted).

The Respondent's Exhibit 18 consists of 36 pages of Patient Care Schedules for Respondent's special needs daughter Liza Fischer.

The Board's Case

Day One (September 24, 2014)

Anna Woodard Testimony (Summary)

Upon being duly sworn, Anna Woodard testified that that she has testified in a court or other proceeding before, that she knows the Respondent, that she was hired as an employee of the Respondent and the Respondent's company, ABC Appraisal Service, in February of 2013, that she did not know the Respondent before she was so hired and that her hair stylist gave her the Respondent's name as the Respondent was looking for clerical help.

According to Ms. Woodard, her duties for the Respondent initially were clerical, answering the telephone, returning e-mails, that she was an Assistant to Jennifer Morris who was the other woman doing a lot of appraisal reports along with Anna Woodard, that she entered legal descriptions in appraisal reports, that she worked for the Respondent in her Nichols Hills office in the Respondent's home on the second floor, that she initially she worked with just the Respondent and Jennifer Morris, that she was worked with Ms. Morris when Jennifer Morris was terminated by the Respondent, and that she worked with others later,

none of whom were licensed appraisers, other than the Respondent. Continuing, Anna Woodard testified that the other people she worked with while employed by the Respondent were Shannon Zoeller who was a clerical worker like her, Diane Ward who was in accounting and who worked with the accounts payable and receivable, Jennifer Latrell who came to work for the Respondent when Ms. Ward left the Respondent's employment and with whom she worked for only one day, and Robert Elder who was the Respondent's boyfriend.

Anna Woodard testified that she worked for the Respondent and the Respondent's company ABC Appraisal Service, Inc. , for six and one half (6 ½) to seven (7) months, that as she worked for the Respondent, her job duties expanded over time to include doing inspections of properties, taking photographs of properties, researching properties, completing appraisal reports from front to back, working with appraisal management companies, measuring properties, and performing final inspections.

In identifying the Board's Exhibit 2, Ms. Woodard indicated that it was an appraisal report generated by the Respondent's company ABC Appraisal Service, Inc., the appraiser's certification on page 9 of Board's Exhibit 2 was the same as others had been that she had seen, that paragraph 19 in Exhibit 2, page 9 on the identification of individuals assisting the Respondent who were trainee appraisers in the preparation of the appraisal report and no others being disclosed who had also assisted was the same paragraph 19 appraiser certification that she routinely saw used by the Respondent, that Board's Exhibit 2, page 12 noted that the Respondent and the Respondent's company ABC Appraisal Service, Inc. had completed some 620 appraisal reports within the past five (5) month period of time in the Edmond/Oklahoma City metroplex area including Midwest City, Del City, Yukon, and Edmond, that on June 18, 2013, she signed the Exhibit 2 appraisal report that had an effective date of June 16, 2013 (date of final inspection), with the Respondent's permission using the Respondent's electronic signature with no disclosure of any assistance by anyone.

Ms. Woodard identified the Board's Exhibit 3 to be another appraisal report generated by the Respondent's company ABC Appraisal Service, Inc. some two months later than the Board's Exhibit 2, that

stated on page 12 thereof that the Respondent and the Respondent's company ABC Appraisal Service, Inc. had completed 720 appraisal reports within the last seven (7) months in the Edmond/Oklahoma City metroplex area. There being no objection, the Board's Exhibits 2 and 3 were both admitted into evidence.

Ms. Woodard proceeded to testify that the Respondent generated appraisal reports without having personally inspected the subject properties, that the Respondent owned a second office that was located in the City of Woodward, Oklahoma, that a woman she identified as being Suzanne Rooney worked in and ran that office for the Respondent as just a Trainee Appraiser when Ms. Woodard started working for the Respondent and the Respondent's company ABC Appraisal Service, Inc.

Respondent's Trip to Colorado

July 13, 2013, to and including July 18, 2013

According to Anna Woodard, the Respondent traveled to Colorado in 2013 on a trip with the Respondent's daughter Alexandra Fischer, that the Respondent was physically out of the State of Oklahoma from July 13, 2013, to and including July 18, 2013, that during this period of time that subject properties were inspected by her and others, that appraisal reports were drafted and/or completed by her and others and appraisal reports were signed with the Respondent's electronic signature by her and others with the Respondent's permission.

The Board's Prosecutor handed a short stack of documents he labeled as the Board's Exhibit 12 to Ms. Woodard that she identified to all be appraisal reports of her employer, the Respondent and the Respondent's company ABC Appraisal Service, Inc., generated between July 13, 2013, to and including July 18, 2013, during the period of time when the Respondent was physically out of the State of Oklahoma in Colorado, consisting of fifteen (15) appraisal reports. There being no objection, the Board's Exhibit 12 was admitted into evidence.

Anna Woodard identified each of the fifteen (15) appraisal reports as follows [It should be noted that, while not so labeled in the Hearing, the following reports are individually numbered to aid the reader]:

(1) The first appraisal report (Bd. 12-1) in the Board's Exhibit 12 was for the subject property at 1160 Robin Hood Lane, Norman, Oklahoma, with, as the date of inspection, July 14, 2013, and which was signed on July 29, 2013.

(2) The second appraisal report (Bd. 12-2) in the Board's Exhibit 12 was for the subject property at 1160 Robin Hood Lane, Norman, Oklahoma, with an effective date of July 14, 2013, and which was signed on July 23, 2013.

(3) The third appraisal report (Bd. 12-3) in the Board's Exhibit 12 was for the subject property at 1810 Green Meadows Road, Alva, Oklahoma, with an effective date of July 13, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on July 17, 2013 (page 9 of 30), with the assistance of Trainee Appraiser Suzanne Rooney disclosed (page 6 of 30).

(4) The next appraisal report (Bd. 12-4) in the Board's Exhibit 12 was for the subject property at 4711 N. Peniel Ave., Bethany, Oklahoma, with an effective date of July 13, 2013, that Anna Woodard signed with the Respondent's electronic signature on July 18, 2013 (page 6 of 6), with no disclosure of Ms. Woodard's assistance.

(5) The next appraisal report (Bd. 12-5) in the Board's Exhibit 12 was for the subject property at 7208 N.W. 44th Street, Bethany, Oklahoma, with an effective date of July 13, 2013, that Anna Woodard signed with the Respondent's electronic signature on July 18, 2013 (page 6 of 6), with no disclosure of Ms. Woodard's assistance.

(6) The next appraisal report (Bd. 12-6) in the Board's Exhibit 12 was for the subject property at 24049 E. 1130 Rd., Colony, Oklahoma, with an effective date of July 16, 2013, that was signed by Ms. Woodard with the Respondent's electronic signature on July 30, 2013, with the appraisal report being completed by Suzanne Rooney and with disclosure of Greg Dean Taylor's assistance.

(7) The next appraisal report (Bd. 12-7) in the Board's Exhibit 12 was for the subject property at 901 N. Terrace Drive, Weatherford, Oklahoma, with an effective date of July 15, 2013, signed with the

Respondent's electronic signature on July 21, 2013, with disclosure of Greg Dean Taylor's assistance.

(8) The next appraisal report (Bd. 12-8) in the Board's Exhibit 12 was for the subject property at 923 N. Krest Drive, Weatherford, Oklahoma, with an effective date of July 17, 2013, signed with the Respondent's electronic signature on July 17, 2013, with disclosure of Greg Dean Taylor's assistance.

(9) The next appraisal report (Bd. 12-9) in the Board's Exhibit 12 was for the subject property at 2730 Kansas Ave., Woodward, Oklahoma, with an effective date of July 13, 2013, signed with the Respondent's electronic signature on July 16, 2013, with disclosure of Suzanne Rooney's assistance.

(10) The tenth appraisal report (Bd. 12-10) in the Board's Exhibit 12 was for the subject property at 2515 4th Street, Woodward, Oklahoma, with an effective date of July 18, 2013, signed with the Respondent's electronic signature on July 25, 2013, with disclosure of Suzanne Rooney's assistance.

(11) The next appraisal report (Bd. 12-11) in the Board's Exhibit 12 was for the subject property, a manufactured home, at 199078 E. County Rd. 41, Woodward, Oklahoma, with an effective date of July 13, 2013, signed with the Respondent's electronic signature on July 25, 2013, with disclosure of Suzanne Rooney's assistance.

(12) The next appraisal report (Bd. 12-12) in the Board's Exhibit 12 was for the subject property at 2411 SW 102nd Street, Oklahoma City, Oklahoma, with an effective date of July 13, 2013, that was a "drive-by" with no sketch necessary that was not inspected by the Respondent but was inspected and signed by Anna Woodard with the Respondent's electronic signature on July 24, 2013, with no disclosure of Ms. Woodard's assistance.

(13) The next appraisal report (Bd. 12-13) in the Board's Exhibit 12 was for the subject property at 8601 NW 126th Street, Oklahoma City, Oklahoma, with an effective date of July 15, 2013, signed by Anna Woodard with the Respondent's electronic signature on July 18, 2013, with no disclosure of Ms. Woodard's assistance.

(14) The next appraisal report (Bd. 12-14) in the Board's Exhibit 12 was for the subject property at

3232 SW 82ndnd Street, Oklahoma City, Oklahoma, with an effective date of July 13, 2013, that was a “drive-by” that the Respondent did not accompany Ms. Woodard on that was signed by Anna Woodard with the Respondent’s electronic signature on July 23, 2013, with no disclosure of Ms. Woodard’s assistance.

The Board Prosecutor asked Ms. Woodard to look at page 10 of 24 (Bd. 12-14) and tell him how the number of appraisal reports is determined and if the number stated there of 720 appraisal reports having been generated by the Respondent within a period of time of less than one year as stated therein sounded about right. Ms. Woodard said that she and the Respondent discussed the numbers and that the number 720 sounded accurate to her.

(15) The final appraisal report (Bd. 12-15) in the Board’s Exhibit 12 was for the subject property at 10111 Shadow View Drive, Oklahoma City, Oklahoma, with an effective date of July 15, 2013, that was signed by Anna Woodard with the Respondent’s electronic signature on July 18, 2013, with no disclosure of Ms. Woodard’s assistance.

Anna Woodard next testified that the Respondent had trained Ms. Woodard and Jennifer Morris, her bookkeeper and a then employee of the Respondent and the Respondent’s company ABC Appraisal Service, Inc. how to input data, how to search comparable sales or “comps”, how to label pictures, how to use legal descriptions and how to work from photographs. As she became more educated by the Respondent, Ms. Woodard said that she ran into headaches as she had limited property knowledge, she had trouble getting cordial assistance from the Respondent, the office was a stressful environment, the Respondent was rude and demeaning toward her staff, the Respondent berated her staff on the phone and in the office, the Respondent said that the her staff looked childish, and that the Respondent warned that the occurrence of minor errors in her appraisal reports could cause the Respondent to have to close her doors.

Respondent's Trip to Hawaii

August 18, 2013, to and including September 3, 2013

The Respondent's trip to Hawaii was the next area of testimony by Ms. Woodard that in referring to her grievance document to refresh her memory, Anna Woodard said the dates were August 18, 2013, to and including September 3, 2013. Continuing, Ms. Woodard testified that the Respondent traveled to Hawaii in part as the Respondent was looking to open an office in Hawaii, that during this period the main office was not closed, appraisal reports were generated by the Respondent's company ABC Appraisal Service, Inc. and that appraisal reports were signed with the Respondent's electronic signature.

At this point, the Board's Prosecutor handed a short stack of documents he labeled as the Board's Exhibit 13 to Ms. Woodard that she identified to all be appraisal reports of her employer, the Respondent and the Respondent's company ABC Appraisal Service, Inc., generated between August 18, 2013, to and including September 3, 2013, during the period of time when the Respondent was physically out of the State of Oklahoma in Hawaii, consisting of approximately forty (40) appraisal reports. There being no objection, the Board's Exhibit 13 was admitted into evidence.

Anna Woodard identified each of the approximately forty (40) appraisal reports as follows [It should be noted that, while not so labeled in the Hearing, the following reports are individually numbered to aid the reader and the number of appraisal reports actually identified equals a total of thirty-nine (39)]:

(1) The first appraisal report (Bd. 13-1) in the Board's Exhibit 13 was for the subject property at 3003 River Oaks Drive, Apt. 120, Norman, Oklahoma, with an effective date of September 1, 2013, that was solely inspected, completed and signed by Anna Woodard with the Respondent's electronic signature on September 3, 2013 (page 6 of 6), with no disclosure of Ms. Woodard's assistance. Bd. 13-1 discloses no trainee appraiser assistance. Ms. Woodard testified that she was not a licensed trainee appraiser when she alone inspected the subject property.

(2) The next appraisal report (Bd. 13-2) in the Board's Exhibit 13 was for the subject property at 125

Philbrook Drive, Oklahoma City, Oklahoma, with an effective date of August 18, 2013, that was solely inspected and signed by Anna Woodard with the Respondent's electronic signature on August 18, 2013 (page 6 of 6), with no disclosure of Ms. Woodard's assistance. Bd. 13-2 discloses no trainee appraiser assistance. Ms. Woodard testified that she believed that the purpose of generating appraisal reports in the absence of the Respondent was to keep the Respondent's business volume up during the period of the Respondent's absence.

(3) The next appraisal report (Bd. 13-3) in the Board's Exhibit 13 was for the subject property at 301 Candlewood Drive, Edmond, Oklahoma, with an effective date of August 12, 2013, that was signed by, but not inspected by, Anna Woodard with the Respondent's electronic signature on August 20, 2013 (page 6 of 6), with no disclosure of Ms. Woodard's assistance or any trainee appraiser assistance.

(4) The next appraisal report (Bd. 13-4) in the Board's Exhibit 13 was for the subject property at 3405 Marla Lane, Edmond, Oklahoma, with an effective date of August 15, 2013, having been inspected by the Respondent, that was completed and signed by Anna Woodard with the Respondent's electronic signature on August 23, 2013 (page 6 of 6), with no disclosure of Ms. Woodard's assistance or any trainee appraiser assistance.

(5) The next appraisal report (Bd. 13-5) in the Board's Exhibit 13 was for the subject property at 11908 E. County Rd., Woodward, Oklahoma, with an effective date of September 2, 2013, that was signed by Anna Woodard with the Respondent's electronic signature on September 2, 2013 (page 6 of 6), with disclosure of Trainee Appraiser Suzanne Rooney's assistance.

(6) The next appraisal report (Bd. 13-6) in the Board's Exhibit 13 was for the subject property at 11908 Blue Moon Ave., Oklahoma City, Oklahoma, with an effective date of August 26, 2013, that was signed by Anna Woodard with the Respondent's electronic signature on August 28, 2013, with no disclosure of Ms. Woodard's assistance or any trainee appraiser assistance.

(7) The next appraisal report (Bd. 13-7) in the Board's Exhibit 13 was for the subject property at 600

S. Locust Street, Shattuck, Oklahoma, with an effective date of September 2, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature with disclosure of Ms. Rooney's assistance. According to Ms. Woodard, Ms. Rooney got this assignment from the Respondent's Nichols Hills office.

(8) The next appraisal report (Bd. 13-8) in the Board's Exhibit 13 was for the subject property at 51028 S. County Rd., Sharon, Oklahoma, with an effective date of August 15, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on September 27, 2013, with disclosure of Ms. Rooney's assistance.

(9) The next appraisal report (Bd. 13-9) in the Board's Exhibit 13 was for the subject property at 14409 S. Hiawasse Rd., Edmond, Oklahoma, with an effective date of August 15, 2013, that was signed by Anna Woodard with the Respondent's electronic signature on August 23, 2013, with no disclosure of Ms. Woodard's assistance or any trainee appraiser assistance. According to Ms. Woodard, during the period of time while the Respondent was in Hawaii, Anna Woodard mainly prepared and completed the Respondent's appraisal reports with a little assistance from co-worker Shannon Zoeller, that she remembers working on these appraisal reports due to her taking the photographs of the properties herself.

(10) The next appraisal report (Bd. 13-10) in the Board's Exhibit 13 was for the subject property at RR 3, Box 7, Woodward, Oklahoma, with an effective date of August 17, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 29, 2013, with disclosure of Ms. Rooney's assistance. Ms. Woodard testified that no drafts of any appraisal reports were ever sent to the Respondent in Hawaii and that her assistance on the Respondent's appraisal reports was never disclosed in any of the appraisal reports.

(11) The next appraisal report (Bd. 13-11) in the Board's Exhibit 13 was for the subject property at 7 Pioneer Est., Woodward, Oklahoma, with an effective date of August 1, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 21, 2013, with disclosure

of Ms. Rooney's assistance.

(12) The next appraisal report (Bd. 13-12) in the Board's Exhibit 13 was for the subject property at RR 2, Box 153A, Watonga, Oklahoma, with an effective date of August 12, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 21, 2013, with no disclosure of any trainee appraiser assistance.

(13) The next appraisal report (Bd. 13-13) in the Board's Exhibit 13 was for the subject property at 420 N. Laing Ave., Watonga, Oklahoma, with an effective date of August 14, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 21, 2013, with no disclosure of Ms. Rooney's assistance.

(14) The next appraisal report (Bd. 13-14) in the Board's Exhibit 13 was for the subject property at 715 12th Street, Woodward, Oklahoma, with an effective date of August 12, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 19, 2013, with disclosure of Ms. Rooney's assistance.

(15) The next appraisal report (Bd. 13-15) in the Board's Exhibit 13 was for the subject property at 506 N. 5th Street, Weatherford, Oklahoma, with an effective date of August 12, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 19, 2013, with no disclosure of any trainee appraiser assistance. Anna Woodard testified that on page 11 of 39 of Bd. 13-15, that as to the Weatherford market, the Respondent stated that she had completed 120 appraisal reports for a period of seven (7) months.

(16) The next appraisal report (Bd. 13-16) in the Board's Exhibit 13 was for the subject property at 1382 Missouri Street, Waynoka, Oklahoma, with an effective date of August 1, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 22, 2013, with disclosure of Ms. Rooney's assistance.

(17) The next appraisal report (Bd. 13-17) in the Board's Exhibit 13 was for the subject property at

615 Circle Drive, Watonga, Oklahoma, with the date of final inspection on August 11, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 26, 2013, with no disclosure of any trainee appraiser or other assistance. Ms. Woodard said that she could not recall who did this appraisal report.

(18) The next appraisal report (Bd. 13-18) in the Board's Exhibit 13 was for the subject property at 1419 Pine Ave., Weatherford, Oklahoma, with an effective date of August 13, 2013, that she believed was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 13, 2013, with no disclosure of any trainee assistance as Ms. Rooney's name was not on it. The Additional Comments section notes that this appraiser has accomplished 720 appraisals in that market in the last seven (7) months.

(19) The next appraisal report (Bd. 13-19) in the Board's Exhibit 13 was for the subject property at 16564 Highway 281, Chester, Oklahoma, with an effective date of August 5, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 21, 2013, with disclosure of Ms. Rooney's assistance. The Additional Comments section (page 3 of 6) notes that this appraiser has accomplished 135 appraisals in the Woodward market in the last three months.

(20) The next appraisal report (Bd. 13-20) in the Board's Exhibit 13 was for the subject property at 209 6th Street, Medford, Oklahoma, with an effective date of August 17, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 30, 2013, with disclosure of Ms. Rooney's assistance.

(21) The next appraisal report (Bd. 13-21) in the Board's Exhibit 13 was for the subject property at 12201 13th Street, Lexington, Oklahoma, with an effective date of August 12, 2013, that Anna Woodard did not inspect but which Anna Woodard signed with the Respondent's electronic signature on August 21, 2013 (page 9 of 32), with no disclosure of any trainee appraiser assistance or of Ms. Woodard's assistance. Ms. Woodard noted that if the Respondent inspected any property, the Respondent's staff always completed the

appraisal reports.

(22) The next appraisal report (Bd. 13-22) in the Board's Exhibit 13 was for the subject property at 3200 Schroeder Lane, Forrest Park, Oklahoma, with an effective date of August 1, 2013, that Anna Woodard inspected alone, that she completed the appraisal report and that Ms. Woodard signed with the Respondent's electronic signature on August 27, 2013, with no disclosure of any trainee appraiser assistance or of Ms. Woodard's assistance.

(23) The next appraisal report (Bd. 13-23) in the Board's Exhibit 13 was for the subject property at 2020 W. 7th Place, Elk City, Oklahoma, with an effective date of August 19, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 31, 2013, with disclosure of Ms. Rooney's assistance.

(24) The next appraisal report (Bd. 13-24) in the Board's Exhibit 13 was for the subject property at 2822 Wildoak Circle, Enid, Oklahoma, with an effective date of August 12, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 21, 2013, with disclosure of Ms. Rooney's assistance.

(25) The next appraisal report (Bd. 13-25) in the Board's Exhibit 13 was for the subject property at 4301 Rampart Street, Enid, Oklahoma, with, as the date of final inspection, an effective date of August 17, 2013, that was signed by Anna Woodard with the Respondent's electronic signature on August 23, 2013, with disclosure of Suzanne Rooney's assistance and no disclosure of Ms. Woodard's assistance.

(26) The next appraisal report (Bd. 13-26) in the Board's Exhibit 13 was for the subject property at 4226 Oakcrest Ave., Enid, Oklahoma, with an effective date of August 17, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 26, 2013, with disclosure of Ms. Rooney's assistance.

(27) The next appraisal report (Bd. 13-27) in the Board's Exhibit 13 was a "Rooney report" for the subject property at 3525 Lakeshore Drive, Enid, Oklahoma, with an effective date of August 17, 2013, that

was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 30, 2013, with disclosure of Ms. Rooney's assistance.

(28) The next appraisal report (Bd. 13-28) in the Board's Exhibit 13 was for the subject property at RR 1, Box 256, Fay, Oklahoma, with an effective date of August 30, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on October 3, 2013, with no disclosure any trainee appraiser assistance. Ms. Woodard said that she did not participate in this appraisal report.

(29) The next appraisal report (Bd. 13-29) in the Board's Exhibit 13 was a "Rooney report" for the subject property at 1736 Spruce Street, Alva, Oklahoma, with an effective date of August 26, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 26, 2013, with disclosure of Ms. Rooney's assistance. Ms. Woodard said that she believed that Ms. Rooney did this appraisal report while the Respondent was in Hawaii.

(30) The next appraisal report (Bd. 13-30) in the Board's Exhibit 13 was for the subject property at 413 Elm Drive, Buffalo, Oklahoma, with an effective date of August 23, 2013, that was signed by Anna Woodard with the Respondent's electronic signature on August 23, 2013, with no disclosure of any trainee appraiser assistance or of Ms. Woodard's assistance. Ms. Woodard stated that she believed that Ms. Rooney did the final inspection on this appraisal report.

(31) The next appraisal report (Bd. 13-31) in the Board's Exhibit 13 was for the subject property at 2100 Nichols Drive, Choctaw, Oklahoma, with an effective date of August 26, 2013, that was signed by Anna Woodard with the Respondent's electronic signature on September 4, 2013, with no disclosure of Ms. Woodard's assistance. Ms. Woodard testified that she did the entire appraisal report herself.

(32) The next appraisal report (Bd. 13-32) in the Board's Exhibit 13 was for the subject property at 506 N. 5th Street, Weatherford, Oklahoma, with the date of final inspection on August 20, 2013, that was signed with the Respondent's electronic signature on August 20, 2013, with no disclosure of any trainee

appraiser assistance or of other non-licensee assistance. Ms. Woodard testified that they sent pictures, that no one actually physically inspected this property and that it was all based on photographs only.

(33) The next appraisal report (Bd. 13-33) in the Board's Exhibit 13 was a "Rooney report" for the subject property at 2209 Red Cedar Drive, Weatherford, Oklahoma, with an effective date of August 21, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 28, 2013, with disclosure of Ms. Rooney's assistance.

(34) The next appraisal report (Bd. 13-34) in the Board's Exhibit 13 was for the subject property at 2213 Kansas Ave., Woodward, Oklahoma, with the date of inspection on August 30, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 30, 2013, with disclosure of Ms. Rooney's assistance. Ms. Woodard noted that this report looks like a "Rooney report".

(35) The next appraisal report (Bd. 13-35) in the Board's Exhibit 13 was for the subject property at 4853 Berryhill Drive, Woodward, Oklahoma, with an effective date of August 20, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 28, 2013, with disclosure of Ms. Rooney's assistance.

(36) The next appraisal report (Bd. 13-36) in the Board's Exhibit 13 was for the subject property at 1816 8th Street, Woodward, Oklahoma, with an effective date of August 26, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on September 17, 2013, with disclosure of Ms. Rooney's assistance.

(37) The next appraisal report (Bd. 13-37) in the Board's Exhibit 13 was for the subject property at 1532 SW 45th Street, Oklahoma City, Oklahoma, with an effective date of August 29, 2013, that was solely inspected and signed by Anna Woodard with the Respondent's electronic signature on September 4, 2013, with no disclosure of Ms. Woodard's assistance.

(38) The next appraisal report (Bd. 13-38) in the Board's Exhibit 13 was for the subject property at 1928 NW 20th Street, Oklahoma City, Oklahoma, with an effective date of August 27, 2013, that was solely

inspected, report completed and signed by Anna Woodard with the Respondent's electronic signature on August 27, 2013, with no disclosure of Ms. Woodard's assistance.

(39) The next appraisal report (Bd. 13-39) in the Board's Exhibit 13 was a "Rooney report" for the subject property at TBD, Taloga, Oklahoma, with the date of inspection on August 21, 2013, that was signed by Trainee Appraiser Suzanne Rooney with the Respondent's electronic signature on August 28, 2013, with disclosure of Ms. Rooney's assistance.

Ms. Woodard testified that the Board's Exhibit 13 consisted of appraisal reports generated during the period of the Respondent's trip to Hawaii beginning August 18, 2013, to and including September 3, 2013, that she has no ax to grind against the Respondent, that she called the Board staff while she was in some small town as she was unsure what to do in an inspection, that the Respondent and the Respondent's company ABC Appraisal Service, Inc.'s work environment was hostile, that the Respondent yelled at her, that she was always worried that the Respondent was on a tirade again, that the Respondent ripped her staff apart and that Ms. Fischer was like Jekyll and Hyde.

In identifying the Board's Exhibit 4, Ms. Woodard stated that these documents were copies of text messages from her telephone between her and the Respondent while the Respondent was in Hawaii consisting of 39 pages in which the name "BethMe" was identified to be the Respondent, that the texts in yellow are those of Fischer while those texts in purple are those of Anna Woodard, and that page 4 of the Board's Exhibit 4 was a notice from an Appraisal Management Company (AMC) that flagged the Respondent for not responding to the AMC's work order.

The Board's Exhibit 5 was identified by Anna Woodard as an e-mail during the Hawaii trip regarding six (6) work orders dated August 21, 2013, with some orders being for Suzanne Rooney. Continuing, Ms. Woodard said that in that e-mail that she took care of two final inspections herself which she actions verified through her testimony, that page 4 of the Board's Exhibit 5 was her expense report documenting her two days in the field while Fischer was in Hawaii, that all nine (9) pages of the Board's Exhibit 5 was her

document, the admission of which Board's Exhibit 5 was objected to by the Respondent as not being an admissible business record, to which objection the Board's Prosecutor responded that the Board's Exhibit 5 was not a business record of Fischer but was a document of Anna Woodard that she authenticated and identified, which objection was overruled by the Board's Hearing Counsel.

Ms. Woodard testified that Core Logic was a favorite customer of hers, that the appraisal report submitted as the Board's Exhibit 14 was the subject of a text, that her assistance with the appraisal report on the El Reno foreclosure was not disclosed including taking photographs, that Anna Woodard signed the appraisal report with Fischer's electronic signature.

Ms. Woodard identified the Board's Exhibit 15 as being text messages between Anna Woodard and Suzanne Rooney, 90397TRA, that was handed out and admitted into evidence without objection.

Ms. Woodard identified the Board's Exhibit 6 as an e-mail from her that was forwarded to the Board's Director Christine McEntire, to which Exhibit the Respondent objected as being an incomplete document as it had no e-mail attached from Fischer, and which was admitted into evidence overruling the Respondent's objection as Anna Woodard testified that the challenged document was indeed complete and that she had not altered it.

Ms. Woodard identified the Board's Exhibit 7 with an attachment, which document was admitted into evidence without objection.

Ms. Woodard identified the Board's Exhibit 10 as being Fischer's response to her grievance on page 2 of which the Respondent informed the Board that Anna Woodard had quit her employment with the Respondent and that Anna Woodard's failure to sign the "no-complete agreement" was not a termination by the Respondent. Anna Woodard also identified the Board's Exhibit 9 as being an e-mail dated September 20, 2013, received by Anna Woodard from Fischer in which the Respondent admitted that she terminated Anna Woodard for not signing the "no-compete agreement".

At this point, Ms. Woodard testified that the Respondent's significant other, Robert Lee Elder, III, had asked her to take an appraisal test on his behalf for \$100.00 via a computer.

On cross, Ms. Woodard testified that she did not pass the test on Mr. Elder's behalf the first time, that the test was taken under Robert Lee Elder's login information, that Mr. Elder said that his daughter had taken two other appraisal courses, that Mr. Elder had one daughter who was a Pharmacist, that Fischer was not present the first time, that Fischer was present the second time, that she let the Respondent know of Robert Lee Elder's request, to which Fischer responded that that was great, we'll get it knocked out that she would take the test, and that she has no documentary evidence or proof that she took the first test.

When questioned about the events that occurred in from the Respondent's office on September 20, 2013, Ms. Woodard testified that Fischer asked her to sign the "non-compete agreement", that when she did not do so that the respondent slammed her hands on the table, that Mr. Elder calmed her down, that Fischer told her that she was terminated, that the Respondent told her to "get her f***ing s**t and to get out of her office", that she applied for unemployment, that her unemployment application was not granted at that time but was granted through a subsequent application last July 2014.

At this point, the Respondent handed out the Respondent's exhibit notebook, and asked Ms. Woodard to identify the Respondent's Exhibit 12 Notice of Claim for Unemployment Monetary Benefits Not Available, which document was so identified, the admission of which document the Board's Prosecutor objected and which document was admitted into evidence over the objection of the Board's Prosecutor.

While Ms. Woodard identified page 1 and page 4 of the Respondent's Exhibit 11, a four page document, as being her July 21, 2014 Claim for Unemployment, Ms. Woodard did not identify pages 2 and 3 of the Respondent's Exhibit 11 as being part of that same document, at which point the Board's

Prosecutor objected to the admission of pages 2 and 3, which objection was sustained by the Board's Hearing Counsel, resulting in the admission of only pages 1 and 4 of the Respondent's Exhibit 11.

When questioned about the Board's Exhibit 5, Ms. Woodard testified that she had not worked with an Appraiser Stefan M. Barnhouse since January 14, that she was not certified as a trainee appraiser, that Fischer knew that she was only taking appraisal courses, that later she began a trainee appraiser in October/ September, that she re-submitted her Application for a trainee appraiser license after working with Stefan Barnhouse, that it was not true that she repeatedly asked Fischer to hire her mother and husband, and that her prior last name was Van Austran in a California case.

The Board's Prosecutor objected to the Respondent's question as to what type of case was tried in California that she involved in, which objection was sustained on relevancy.

Ms. Woodard identified the Respondent's Exhibit 4 consisting of six photographs of Fischer's house and office, which exhibit was admitted without objection.

Anna Woodard testified that Fischer was always available by phone, text, e-mail, that the Respondent often worked on weekends, that Suzanne Rooney worked out in Fischer's Woodward office, that her job did not include monitoring Suzanne Rooney, that Suzanne Rooney worked with Fischer on some reports but not all appraisal reports, that as to the Board's Exhibits 11 and 12 Suzanne Rooney aid all the reports, that she reviewed Suzanne Rooney reports in Fischer's absence while on her vacation trip, that she could not remember the dates of the Colorado without refreshing her memory, that as to the Colorado trip between July 13 to July 18, 2013, that she had no independent documentary evidence of the dates when the Respondent was actually gone to Colorado, that she had no independent documentary evidence other than her testimony that Fischer did not numerous appraisal reports, that she had never laid eyes on Suzanne Rooney until the day of the Hearing, and that she did not know how many reports Suzanne Rooney and Fischer were in touch on.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports done during the Respondent's absence on her Colorado vacation trip, Ms. Woodard testified that as to the fourth report (Bd. 12-4) on the subject property at 4711 N. Peniel Ave., Bethany, Oklahoma, dated July 13, 2013, that it was not possible that Fischer did the report because Anna Woodard did it without any involvement of Fischer and that it was her report, not Fischers'.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports, Ms. Woodard testified that as to the fifth appraisal report (Bd. 12-5) on the subject property at 7208 NW 44th Street, Bethany, Oklahoma, with an effective date of July 13, 2013, that Fischer did not review her signature.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports, Ms. Woodard testified that as to the sixth appraisal report (Bd. 12-6) on the subject property at 24049 E. 1130 Rd., Colony, Oklahoma, signed on July 31, 2013, Ms. Woodard said that Fischer was back from her Colorado vacation trip.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports, Ms. Woodard testified that as to the seventh appraisal report (Bd. 12-7) on the subject property at 901 N. Terrace Drive, Weatherford, Oklahoma, signed on July 31, 2013, Ms. Woodard said that Fischer was back from her Colorado vacation trip.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports, Ms. Woodard testified that as to the 12th appraisal report (Bd. 12-12) on the subject property at 3232 SW 82nd Street, Oklahoma City, Oklahoma, that Fischer had been back for about a week that Anna Woodard herself completed the entire appraisal report, that she signed it with Fischer's permission and sent it to the client, that she has only her testimony that she did these things with no independent documentary evidence.

When questioned about the Board's Exhibit 13 (tall stack) of Fischer appraisal reports done during the Respondent's absence on her Hawaii vacation trip, Ms. Woodard testified that as to the first appraisal report (Bd. 13-1) for the subject property at 3003 River Oaks Drive, Apt. 120, Norman, Oklahoma, that Anna Woodard alone did this appraisal report and inspected the property by herself, that she completed the appraisal report, reviewed it with Suzanne Rooney and submitted it, and that Fischer did not review this appraisal report as Fischer did not ask to see it.

When questioned about the Board's Exhibit 13 (tall stack) of Fischer appraisal reports done during the Respondent's absence on her Hawaii vacation trip, Ms. Woodard testified that as to the second appraisal report (Bd. 13-2) for the subject property at 125 Philbrook Drive, Oklahoma City, Oklahoma, that Anna Woodard inspected this property, that she was instructed by Fischer to complete this appraisal report which she did.

When questioned about the Board's Exhibit 13 (tall stack) of Fischer appraisal reports done during the Respondent's absence on her Hawaii vacation trip, Ms. Woodard testified that as to the third appraisal report (Bd. 13-3) for the subject property at 301 Candlewood Drive, Edmond, Oklahoma, that Fischer inspected this property and did work on this report on her last day of work prior to her Hawaii vacation trip, that Anna Woodard filled out the appraisal report with information from Fischer.

When questioned about the Board's Exhibit 13 (tall stack) of Fischer appraisal reports done during the Respondent's absence on her Hawaii vacation trip, Ms. Woodard testified that as to the appraisal report (Bd. 13-17) for the subject property at 615 Circle Drive, Watonga, Oklahoma, it was signed close to a week before Fischer went to Hawaii, and that Suzanne Rooney assisted but that Ms. Rooney's assistance was not disclosed.

When questioned about the Board's Exhibit 13 (tall stack) of Fischer appraisal reports done during the Respondent's absence on her Hawaii vacation trip, Ms. Woodard testified that as to the appraisal report (Bd. 13-21) for the subject property at 12201 13th Street, Lexington, Oklahoma, that she

arranged and labeled the photographs, that arranging and labeling can be clerical as can looking up a sales price and the number of bedrooms on a property.

When questioned about the Board's Exhibit 13 (tall stack) of Fischer appraisal reports done during the Respondent's absence on her Hawaii vacation trip, Ms. Woodard testified that as to the appraisal report (Bd. 13-28) for the subject property at RR 1, Box 256, Fay, Oklahoma, and that Suzanne Rooney's assistance was not disclosed.

When questioned about the Board's Exhibit 13 (tall stack) of Fischer appraisal reports done during the Respondent's absence on her Hawaii vacation trip, Ms. Woodard testified that as to the appraisal report (Bd. 13-32) for the subject property at 506 N. 5th Street, Weatherford, Oklahoma, that Fischer was in Hawaii, that Fischer did not participate in this appraisal, and that the Respondent's car in a photograph was used by Anna Woodard in Fischer's absence with her permission.

When questioned about the Board's Exhibit 4 with texts from Fischer, Ms. Woodard testified that Fischer works after hours and on weekends, that these pages are screen shots of telephone text communications submitted around time of the complaint, and that the exhibit texts were not altered and that copy provided is a copy of all of the texts.

When Ms. Woodard was questioned about the Board's Exhibit 5, Ms. Woodard said that the time differences are due to the five or six hour time difference between here and Hawaii, that to be a trainee appraiser with a supervisory appraiser requires Board approval, that Fischer never acknowledged her as Fischer's trainee appraiser, and that the last name "Hodges" is Fischer's maiden name.

Ms. Woodard identified the Board's Exhibit 16 as a picture of Fischer and her daughter Alex that was a facebook posting dated July 16, 2013, that was admitted into evidence based on relevance as proof that the Respondent was indeed in Colorado over the Respondent's objection that they never said that the Respondent did not go to Colorado for a long weekend.

When questioned again about the Board's Exhibit 12 (short stack) of Fischer appraisal reports, Ms. Woodard testified that as to the appraisal report (Bd. 12-6) for the subject property at 24049 E. 1130 Rd., Colony, Oklahoma, that Fischer signed the appraiser's certification that she visually inspected the exterior areas of the subject property on the effective date of July 16, 2013, despite the fact that Dean Taylor actually inspected this property by himself as the Respondent was out of state in Colorado on July 16, 2013, and that Fischer could not visually inspect any subject property on any day when she was physically out of state in Colorado or in Hawaii.

When questioned again about the Board's Exhibit 12 (short stack) of Fischer appraisal reports, Ms. Woodard testified that as to the appraisal report (Bd. 12-8) for the subject property at 923 N. Krest Drive, Weatherford, Oklahoma, that Dean Taylor inspected the subject property in Fischer's absence on her Colorado vacation trip and that Fischer's electronic signature was placed on the appraisal report to date it all the same day. Continuing, Anna Woodard testified that she was paid hourly, that Fischer was motivated to have appraisal reports generated while she was gone to Colorado and to Hawaii.

In response to a Hearing Panel question about the Board's Exhibit 12 (short stack) of Fischer appraisal reports, Ms. Woodard testified that as to the sixth appraisal report (Bd. 12-6) on the subject property at 24049 E. 1130 Rd., Colony, Oklahoma, signed on July 31, 2013, that Fischer signed the appraisal report as the Appraiser not as the Supervisor of a Trainee Appraiser, that Anna Woodard did between 30 and 40 inspections herself none of which appraisal reports were signed by Fischer as the Supervisor of a Trainee Appraiser as they were all signed by Fischer as the Appraiser, that Anna Woodard never had a trainee appraiser license number while she was employed by the Respondent and the Respondent's company, ABC Appraisal Service, Inc., that to her knowledge that Fischer never saw or inspected the 30 to 40 properties that Anna Woodard inspected by herself in the Respondent's absences during her vacation trips in Colorado and Hawaii, that this was true despite client requirements in their assignments that the inspections were to be actually performed personally by the Appraiser herself, that

Fischer's electronic signature was not protected by Fischer from anyone's else's use as all in the office had access to Fischer's electronic signature, that no login was required for such access to her knowledge, that such electronic signature was on the main server, and that the Respondent used the Ala Mode software program.

Jennifer Morris Testimony (Summary)

Upon being duly sworn, Jennifer Morris testified that she used to work for the Respondent, that she worked for her from May 2012 to May 2013, for almost one year, that she knew the Respondent before her employment from a fitness studio, that she previously had not worked in the appraisal field before that time, that initially her duties included accounting, clerical work, answering the phone, doing research but it escalated past that to include inputting data, research that was a lot more complex, she pulled all information for subject properties and comps, that she did inspections herself as well as doing final inspections herself, that she re-measured a couple of properties, that no one was with her, and that she took photographs of properties.

Ms. Morris testified that initially there was no one in the Respondent's office but her, that later Anna Woodard was hired one week after she told the Respondent that she was pregnant, that Suzanne Rooney was employed by the Respondent the whole time that she was working there, that Anna Woodard and her worked side by side, that she trained Dean Taylor to do appraisal reports, that she learned some things from the Respondent, that she was never a trainee, that she never applied for a trainee license, and that she took no classes as a trainee.

The Board's Prosecutor handed Ms. Morris a document labeled as the Board's Exhibit 2 that she identified to be an appraisal report generated by the Respondent's company ABC Appraisal Service, Inc., that the representation on page 12 of Board's Exhibit 2 that 620 appraisals had been accomplished in the Oklahoma City/Edmond market in the last five (5) months was consistent with the volume of appraisal reports she saw which amount is an unbelievable amount if not more, that this amount of appraisals is an

estimate that the Respondent would decide or they would just raise the number as they went along. In reference to the thumb drive of appraisal reports, Ms. Morris said that such reports missed her time frame of when she was at the Respondent's company ABC Appraisal Service, Inc., that her review of such reports would be after the fact, and after she left the Respondent's employment.

The Board's Exhibit 17, which was admitted without objection, was identified by Jennifer Morris to be a document that she had prepared, that it was a summary of the appraisals that she worked on, that it was the best of her recollection, that she personally visited six (6) properties (three in Edmond and three in Oklahoma City) with addresses listed in Section 1 of the Board's Exhibit 17 that she personally inspected and measured, that there ten (10) other properties that she worked on from memory with addresses listed in Section 2 of the Board's Exhibit 17 (four in Edmond, three in Oklahoma City, and one each in Arcadia, Omega and El Reno) and that in Section 3 of the Board's Exhibit 17, are five Funeral Homes (one each in Shattuck, Leedey, Arnett, Vici and Oklahoma City) the reports of which she worked on but did not recall how much work she performed.

Continuing, Ms. Morris testified that while she was employed by the Respondent's company ABC Appraisal Service, Inc., that she accepted appraisal assignments and set up inspections, that she inputted everything in appraisal reports, that she worked up appraisal reports from top to bottom, that she researched comps, the past sales of subject properties, that she never researched zoning, that she researched tax data on property records, that the Respondent sometimes made adjustments but that she never did so, that the Respondent did not inspect every property, that she would call Realtors for photographs, and that some properties were never inspected by anyone a few times that were far away properties. According to Ms. Morris, the Respondent fired her, that she accused her of doing things that she did not do, and that the Respondent drove her to tears many times, and that she did not cry in front of the Respondent.

On cross examination, Ms. Morris stated that she had no appraisal experience or training when she was hired by the Respondent, that she did accounting work, that the accounting work was one of her functions even on the last day that she was employed, that the Respondent docked her paycheck for the last day but she wrote no letter to complain, that she let the docked pay issue go, that she did file for unemployment, that she did the accounting functions that she was required to do, that she straightened out the Respondent's books which had been a real mess, that she does not know Diane Ward, the current accountant, that immediately upon her hire by the Respondent that she had additional duties added, that she barely had time for any accounting work, that she was doing appraisal reports, that she did personal stuff for the Respondent sometimes, and that the majority of the time she did appraisal work.

As to her contact with the Respondent, Ms. Morris said that the Respondent telephoned a hundred times a day, it seemed like she was calling every five seconds, that the phone in the office rang all day long, that the office environment was stressful, that she had no breakdown of appraisals versus personal stuff she did for the Respondent, that the Respondent taught her appraising and she learned on her own by looking over appraisal reports in the office, and that she never purported to take appraisal classes.

As to Exhibit 17, Ms. Morris noted that she had looked at all of the appraisal reports on the thumb drive provided to her that included over 800 appraisal reports, that it took a couple days to look at all of the appraisal reports, that of those she looked at, she prepared the one page summary document identified as Board's Exhibit 17, that she did the final inspections on the six (6) properties in Section 1 of Board's Exhibit 17, that nobody was with her when she did those six (6) final inspections, that she prepared the reports, that the Respondent looked at some things, that she received no instructions on any of the six (6) final inspections, and that the Respondent showed her how she did inspections and learned how to do so from the Respondent. As to Section 2 of the Board's Exhibit 17, Ms. Morris noted that might have checked data, researched taxes, inputted data, that the Respondent instructed her to be accurate and careful. As to Section 3 of the Board's Exhibit 17, Ms. Morris said that she remembers doing some kind of inputting of data, that

she can't remember how much she did, that she took photographs of the Funeral Homes and Dental Office, that she drew the sketches of the Funeral Homes and Dental Office, that these properties were unusual for the office, that she only made a change or an adjustment if the Respondent so directed, that it was rare for her to make changes or adjustments on her own, that it was never disclosed by the Respondent that Ms. Morris provided any assistance in any appraisal report, that typically the Respondent pulled comps, that Ms. Morris chose comps, and that there was no protection in the office of the Respondent's electronic signature.

This testimony closed out the first day of the Hearing.

Day Two (September 25, 2014)

Greg Dean Taylor Testimony (Summary)

Upon being duly sworn, Greg Dean Taylor (who goes by his middle name Dean) testified that he currently works in sales with Western Equipment (John Deere products) in Clinton, Oklahoma, that he was licensed as a trainee appraiser in 2013, that before that licensure at one time years ago he was actually licensed as a state licensed appraiser, and that he worked for the Respondent and the Respondent's company ABC Appraisal Service, Inc. in Woodward, Oklahoma, from about May 2013 until sometime in August 2013.

Continuing, Mr. Taylor said that when he first starting appraising again for the Respondent, that it took him about six (6) hours to complete an appraisal report, that later it took him less time to complete an appraisal report to do so, closer to four (4) hours, that when someone does an appraisal report that they would get the assignment, they do research, look for comparable sales to that of the subject, that they set up an inspection of the subject property, that they measure the house, take pictures, work on the appraisal report, input data, put your reasoning in the report, submit the report, that there may be correction to be made and if approved through the system [the AMC's system], then you are done, that the Respondent was big on being correct the first time through the system [the AMC's system], that he quit appraising as the work is stressful and its very detailed.

Mr. Taylor was given an appraisal report on 923 N. Krest Drive, Weatherford, Oklahoma (from Board's Exhibit 12, Bd. 12-8) to review, that Mr. Taylor, testifying, identified as being an appraisal report that he had helped to complete, that it had his name listed therein as being a trainee appraiser, that it was accurate, that it has the Respondent's electronic signature that he was directed to place there by the Respondent, that he was authorized to do so by the Respondent, that the effective date, as the date of final inspection, of July 17, 2013, and the signature date is also July 17, 2013, that he did not believe that the Respondent was present with him on the inspection. Continuing, Mr. Taylor testified that the Respondent was the Appraiser who signed the appraisal report on 923 N. Krest Drive, that while the Respondent was his supervisory appraiser the Respondent signed the appraisal report as the Appraiser and not as his supervisory appraiser, that the Respondent did not perform a visual inspection of the subject property at 923 N. Krest Drive, Weatherford, Oklahoma, that the appraisal report noted that eighty (80) appraisal reports had been accomplished in that market in the last five (5) months, and that the Respondent did all of those eighty (80) appraisal reports herself. Mr. Taylor agreed that the total number breaks down to about sixteen (16) reports a month, that as it takes him four (4) to six (6) hours to complete an appraisal report that based on such a quantity of reports, the Respondent is working 64 hours a week to complete that number of appraisal reports.

When shown the appraisal report disclosure of the number of appraisal reports in the Oklahoma City/Edmond market in the Board's Exhibit 2 of 620 appraisal reports having been performed by the Respondent in a five month time period, Mr. Taylor agreed that the 620 number of appraisal reports divided by the number of months [5 months] averages out to be 124 appraisal reports being completed by the Respondent each month in the Oklahoma City/Edmond market and would require work by someone at his rate of speed of some 496 hours per each month, that when the number 496 is added to the previous number of hours of work at his rate of speed of 64 hours in the other market (from Board's Exhibit 12, Bd. 12-8), equals or requires the Respondent working about 560 hours each month at that speed, that given

that number of hours per month of 560 hours being divided by the number of days in a month at thirty (30) days works out to require the Respondent to work eighteen (18) hours each of the thirty (30) days in a given month, and that he agreed that seemed like a lot of work.

Mr. Taylor said that the Respondent has a special needs child that takes quite a bit of her time and that he was not aware that the Respondent was out of state in Colorado on July 17, 2013, the effective date and signature date of the 923 N. Krest Drive, Weatherford, Oklahoma, appraisal report (Board's Exhibit 12, Bd. 12-8).

Mr. Taylor testified on cross-examination that he resided in Weatherford, Oklahoma, from May 2013 to August 2013, that having been out of the appraisal field for ten (10) years after having left it in 2003, that there were similarities as inspections were close to the same but differences in the profession with computers and data entry having all changed and more deadlines than in past, some being unreasonable. Mr. Taylor said that the Respondent responded to her office quite a bit, that he would input data onto an iPad, that he worked independently without the Respondent, that he contacted her by phone, text, e-mail like she was just next door to him 10 to 12 times a day and the Respondent would respond back quickly, that he would submit a document to her electronically for her to review, that she would make corrections, they would go back and forth, she gave him pointers, that the Respondent wanted accurate and quality work, that he did not proof-read as well as she did, that she was a detail person, and that she was good at picking up on English grammar and little things.

When asked, about rules for trainee appraisers, Mr. Taylor responded that the Board does have rules for trainee appraisers that he agreed were in effect at OAC 600:10-1-16, specifically the sentence in (f)(2) that a supervisory appraiser accompany a trainee appraiser on inspections until the supervisory appraiser is sure that the trainee appraiser is competent, and that he agreed that the Respondent did so with him.

When asked about an appraisal report of the Respondent's on 923 N. Krest Drive, Weatherford, Oklahoma from Exhibit 12 (Bd. 12-8), that he was identified by name as a trainee appraiser, that the description of his work on the appraisal is accurate, that that appraisal took him five hours to complete as was disclosed, that a report must be read as a whole and that you just look at one page of an appraisal report.

Mr. Taylor did meet with the Respondent in her office in Oklahoma City, that he observed her interaction with her office staff, that her normal demeanor in her office was professional, that she was busy, that she was demanding like a football coach, that he was in the Oklahoma City office several times and at various times, that he never saw the Respondent pound the table, that she asked him to do his best work and that she pushed him.

At this point, the Respondent's Attorney asked Mr. Taylor to look at a document labeled as Respondent's Exhibit 7, that Mr. Taylor identified as his letter in the form of an e-mail to the Respondent, to which document the State through the Board's Prosecutor objected based upon its being incomplete, which document was admitted into evidence over the objection of the State as the objection was the same made by the Respondent the previous day for a document being incomplete, which document was admitted into evidence at that time.

Mr. Taylor stated that no e-mail prompted his e-mail, that it was just his letter explaining why he left his contract work and position with the Respondent and the Respondent's company ABC Appraisal Service, Inc. as the work was stressful and that he was not suited for the detailed work. Continuing, Mr. Taylor said that the Respondent's western Oklahoma experience helps her in Oklahoma City, that the Respondent has staff in Oklahoma City that helps her, that such help frees her up to do other appraisals, that it did not take the Respondent as long as it did him to complete an appraisal, that in his reports as to the quantity of appraisals performed over time that he is not claiming that he did 80 appraisals in 5 months in the Weatherford market nor is he claiming that he 720 appraisals in Oklahoma City in 5 months, that the

Respondent has a caregiver hired to care for her special needs child, and that the Respondent has no commute to her office as she offices at home.

According to Dean Taylor, the appraisal profession is important to the Respondent, that she works until 9:00 or 10:00 p.m. some nights, that she and Mr. Taylor would work on Saturdays by communicating, that he did not know if she worked on holidays, that there were several reasons he left the Respondent's company ABC Appraisal Service, Inc. including the volume of work, the type of detailed work, his problems with English grammar (that the Respondent helped him with), and that he was not designed to work that way with inputting data in the computer, and that he has a farm with cattle that he neglected. Mr. Taylor stated that he looked down the road a couple of years and decided to go back to sales as it was less detailed and where he was more comfortable.

On redirect by the Board's Prosecutor on the Board's Exhibit 12 (Bd. 12-8) on 923 N. Krest Drive, Weatherford, Oklahoma, Mr. Taylor stated that the Respondent electronically signed the appraisal report as the Appraiser and not as his Supervisory Appraiser, that he did the sketch, he did the inspection, he did the measuring, that he did the research, that he didn't know if he analyzed the Sale Contract, that he researched the Oklahoma City Multi List Service (MLS), he pulled the sales for the report, and that the opinion of value was \$130,000.00. Mr. Taylor said that the Respondent is experienced and she knows data.

Dean Taylor stated that he quit the Respondent's company ABC Appraisal Service, Inc. on August 13, 2013, hat he wrote and sent his e-mail on October 13, 2013 (Respondent's Exhibit 7), that he sent to the Respondent, that the Respondent called him regarding the Board's investigation that was going on and Anna Woodard's complaint, about why he left and that he should tell the truth. As to an explanation of his e-mail of October 13, 2013, he stated that it was his understanding that they complied with all of the laws and the rules, that he wrote his letter as it was the right thing to do, that the respondent did not coach him in writing his letter, and that the letter is his words. When questioned, Mr. Taylor stated that he was not a member of the Oklahoma City MLS although he used it, that he did not have his own login number to that MLS, that he

was pretty much ready as a trainee appraiser but not as a number as a TRA.

At this point, the Board's Prosecutor noted that the Respondent's Subpoena for Records and her Response through a flash drive of appraisal reports (with no work files) covering an eight (8) month period of time are both part of the record in this matter.

Christine McEntire Testimony (Summary)

Upon being duly sworn, Ms. McEntire testified that the Respondent produced a flash drive of appraisal reports (totaling 887 appraisal reports), but not all of the corresponding work files of the Respondent, that she is not saying that the Respondent was remiss in providing inspection reports, that the Respondent was timely in her submission of the flash drive with the appraisal reports of the Respondent's company ABC Appraisal Service, Inc., and that no motion was filed to compel the Respondent to produce any of her work files.

At the conclusion of Ms. McEntire's testimony, the Board's Prosecutor said that the Board rested its case.

The Respondent's Case

Greg Dean Taylor Testimony (Summary)

See Greg Dean Taylor Testimony (Summary) as stated above as the Board's Third (3rd) Witness at the request of the Respondent to be treated in this proceeding as though such testimony was that of Greg Dean Taylor as the Respondent's first (1st) Witness in the presentation of the Respondent's case.

Robert Lee Elder, III Testimony (Summary)

Upon being duly sworn, Robert Lee Elder, III, testified that he resides in Oklahoma City, that he has been a member of the Oklahoma Bar Association as an Oklahoma licensed Attorney since 1996, that he is single, that for 28 years he has owned a company named "Complete Home Rentals, LLC." through which he buys and sells real properties, that he has purchased 600 properties and has sold 200 of those properties, that he is acquainted with the Respondent, that he had a personal romantic relationship

with the Respondent that ended a little before Christmas in 2013, that he has never been an appraiser, that he is familiar with USPAP courses, that he did take three initial appraiser training courses and that last year he took his first test to be a trainee appraiser. Continuing, Mr. Elder stated that the Respondent's office is conducted in a professional manner, that the Respondent is not a micro-manager, that the Respondent is absorbed in her own work, that he never saw or heard the Respondent yell or scream, and that when the Respondent was working she was working.

When questioned about the Respondent's staff members, Mr. Elder said that generally Anna Woodard was happy, that she wanted to do more, that she wanted more responsibility without doing the work, that Anna Woodard wanted more and more involvement without learning the office, that while the Respondent was on the phone a lot with Suzanne Rooney he had no memory of seeing them personally together, that the Respondent and Ms. Rooney spoke on the phone very frequently every day, very early, very late, and very regular, that he saw Dean Taylor maybe three (3) times, and that Dean Taylor was only there a short time.

Mr. Elder testified that his office is located at 8801 N. Western in Oklahoma City, that he has a staff of about twenty (20) workers in the field, that he took some pictures of some houses in some rough neighborhoods as he was concerned for the Respondent's personal safety, that the pictures he took were not used in an appraisal to his knowledge, that the majority of the time that he saw the Respondent was real early or late after his workday ended, and that during the time of his relationship with the Respondent for ten to twelve months, he purchased somewhere around 40 to 50 properties.

When questioned about his trip to Hawaii in which he traveled together with the Respondent in August 2013 to September 2013, Mr. Elder said that the Respondent worked every day while in Hawaii, that she worked a lot on her laptop, took phone calls, made phone calls, that the Respondent worked five to six hours most days, that there were only one or two days at most that the Respondent did not

work while on vacation in Hawaii, that the Respondent was accessible by phone most of the day, that the work she performed was office work not buying or selling stocks and bonds.

When asked about his interest in the appraisal business, Mr. Elder testified that it was an absolute lie that he or the Respondent wanted Anna Woodard to take a test in his place, that he's good at taking tests while Anna Woodard is not, that he's a smart kid with two (2) college degrees; Law and a Masters' Degree, that Anna Woodard had to take her appraisal trainee tests multiple times, and that Anna Woodard's allegations were ludicrous.

When asked about Anna Woodard's allegations about him on page three of her grievance statement, Mr. Elder said that he has a daughter, that he never paid his daughter to take his test for him, that his daughter has no interest in real estate, that he wishes that she did have an interest in real estate, that it was a lie that he paid Anna Woodard \$100.00 to take an appraisal test in his place or that he offered to do so, that if he was going to pay someone to take a test in his stead he would at least find someone smart enough to do it, not Anna Woodard.

When asked about his knowledge of other employees of the Respondent, Mr. Elder said that he knew that Jennifer Morris was a bookkeeper whom he knows very little, that there was some issue he'd heard about Ms. Morris hiding work rather than completing the work, that the Respondent accompanied Dean Taylor on inspections on several occasions, that he could sometimes hear Dean Taylor's voice in the background when he was on the phone, that Dean Taylor found appraisal work stressful but Dean Taylor did not find the Respondent stressful, that Dean Taylor was happy when he left the Respondent's office, and that he was certain that the Respondent accompanied Suzanne Rooney on inspections.

When asked about the "non-compete agreement" that the Respondent presented to Anna Woodard, Mr. Elder said that it was a one-half page agreement that he prepared and presented to Ms. Woodard, that he advised Ms. Woodard that she probably should have an Attorney look it over on her

behalf, that he assured her that she could think it over before she signed the "non-compete agreement", that there was no pressure on Ms. Woodard to sign the "non-compete agreement", that he and Ms. Woodard had about a 15 minute conversation about it that was calm and rational, that he left the Respondent's office at that point, that Anna Woodard never returned to the Respondent's office that day or ever again, and that the Respondent who was present during the non-compete agreement's presentation and conversation did not have much to say during his discussion about it with Anna Woodard.

When asked why he was testifying on behalf of the Respondent, Mr. Elder said that was there to clear his name and that of the Respondent and that he and the Respondent "split last year prior to Christmas".

On cross, Mr. Elder said that his full name was Robert Lee Elder, III, that he had never lived in Muskogee, Oklahoma, that he was not subpoenaed to testify, that he and the Respondent were not enemies.

When questioned about the Respondent's vacation in Hawaii, Mr. Elder said that he and the Respondent spent 10 to 12 days in Hawaii, that the Respondent was attending a "Peak Potentials" personal development seminar for approximately five days in Hawaii that lasted from 9:00 a.m. to 6:00 p.m. each day, and that some days the seminar lasted into the evening hours.

The next area of questions posed to Mr. Elder related to specific appraisal reports. As to the appraisal report in the Board's Exhibit 13 for the subject property at RR 1, Box 256, Fay, Oklahoma (Bd. 13-28), with, as the date of inspection, August 30, 2013, Mr. Elder stated that he was fairly certain that on that date, August 30, 2013, he was in Hawaii. Mr. Elder conceded that it was not reasonable to believe that the Respondent could inspect Oklahoma properties while he and the Respondent were together in Hawaii from August 17, 2013, to and including September 3, 2013.

In identifying the Board's Exhibit 18, Mr. Elder stated that it was a copy of the "non-compete agreement" he prepared and drafted for the Respondent to be presented to and signed by the Respondent's employee Anna Woodard, that that was the "non-compete agreement" that was actually presented to Anna Woodard on September 20, 2013, with stated liquidated damages in the amount of \$100,000.00, that he had no thought that Anna Woodard would leave that day never to return, and that the \$100,000.00 stated liquidated damages was an arbitrary dollar amount. The Board's Exhibit 18 was admitted into evidence without objection.

When asked about the Respondent's children, Mr. Elder testified that the Respondent had a son aged 22 years old who works with his grandfather out in Woodward in the oil business, a daughter 20 years old who is in her third year at the University of Central Oklahoma (UCO), and a daughter 17 years old who is handicapped, who needs constant attention, and who lives at home with the Respondent in the downstairs portion of her house, the upstairs portion of which also serves as the Respondent's appraisal office.

When questioned about whether he was ever an employee of the Respondent, Mr. Elder stated that he was on the medical insurance of the Respondent or of the Respondent's company ABC Appraisal Service, Inc. as an employee but that he was not an employee of the Respondent or of the Respondent's company ABC Appraisal Service, Inc. for Internal Revenue Service (IRS) purposes.

Christine McEntire (Second) Testimony (Summary)

Upon being duly sworn, Ms. McEntire testified that the Respondent's next witness, Suzanne Rooney, who was subject to the witness exclusion rule invoked by the Respondent, was resting against the closed door of the hearing room and was listening to the testimony of the last witness, Robert Lee Elder, III, for at least thirty (30) seconds that she knew of, and that Ms. Rooney could hear what was said by the Respondent's witness while Ms. Rooney was expressly excluded from the Hearing Room.

Prosecutor's Motion to Prohibit Any Testimony By Suzanne Rooney

At this point the Board's Prosecutor verbally moved to prohibit Suzanne Rooney from testifying in this matter at all due to the evidence that Ms. Rooney was indeed listening at the door of the Hearing Room contrary to the Respondent's own motion to exclude the witnesses from the hearing until they were to testify and that such misconduct violated the Board's rules.

The Respondent spoke against the prohibition of his witness Suzanne Rooney from testifying in this matter by asserting that Ms. McEntire did not know what Suzanne Rooney heard in that thirty (30) seconds or if Ms. Rooney actually heard anything at all.

Disciplinary Hearing Panel Deliberation on Prosecutor's Motion to Prohibit Any Testimony By Suzanne Rooney

Due to the serious nature of the allegations against the Respondent's witness, Suzanne Rooney, the Hearing Panel cleared the Hearing Room to deliberate on the Prosecutor's Motion.

Upon returning to the Hearing in open session, the Board's Hearing Counsel, Bryan Neal, announced that while the Hearing Panel was very concerned about Suzanne Rooney's conduct that the Hearing Panel would allow Suzanne Rooney to testify on the Respondent's behalf by denying the Board Prosecutor's Motion, to which announcement all members of the Hearing Panel stated that they agreed.

Suzanne Rooney Testimony (Summary)

Upon being duly sworn, Suzanne Rooney, formerly a trainee appraiser under the supervision of the Respondent who recently received her state licensed appraisal credential in July of 2014, testified that she resides in Mooreland, Oklahoma, that she has one daughter age 9, that she was employed by the Respondent's company ABC Appraisal Service, Inc., in Woodward, Oklahoma, that she had previously been employed by the Respondent's company ABC Appraisal Service, Inc. from 2003 to 2005, that she was licensed as a trainee appraiser in 2004, that as a trainee appraiser she did everything from start to finish, that she handled every detail, that she gave birth in 2005 and took a break from working

at that time, that she quit altogether for a while even letting her trainee license lapse, that she returned to the Respondent's company ABC Appraisal Service, Inc., in Woodward, Oklahoma, in 2006, that she performed data entry, support work for appraisals and basic office work until she started taking appraisal classes again four (4) years ago, that she re-established her license as a Trainee Appraiser in 2008, that she became a State Licensed Appraiser in July 2014, that she is in good standing and is now working on securing her Certified Residential Appraiser license.

Continuing, Ms. Rooney testified that she never engaged in anything improper with Fischer, that they worked together in Woodward, that she and Fischer work together smoothly, they send documents back and forth constantly all day, that she thinks the grievance is ridiculous and not true, that Anna Woodard has not proven to be honest and trustworthy, that Anna Woodard was not in a position to know about her communications with Fischer, that Anna Woodard did not view her work, that Anna Woodard's allegations are off, that daily Fischer is at her office desk at 6:00 a.m., that Fischer's hours vary, that Anna Woodard only worked 9:00 a.m. to 5:00 p.m., that she (Rooney) was not there all the time to observe Anna Woodard, that her reports are only e-mailed to Fischer, that she and Fischer review each report together top to bottom, that Wintotal and Ala mode are one and the same, that her finalized reports are e-mailed to the main e-mail, that she's never been forced to do anything by Fischer, that she's not in the Oklahoma City office as she works in Woodward, that the Woodward office is upbeat and positive, that the Oklahoma City office environment was not great when Anna Woodard worked there, that now the Oklahoma City office environment is upbeat, positive, and professional, that Anna Woodard was very negative and had nothing positive to say about her co-workers, that Anna Woodard manipulated her into believing that there were problems at work, and that Anna Woodard discussed her personal problems that were inappropriate in the workplace.

When questioned about work during the time period when Fischer was out of state on vacation in Hawaii from August 18, 2013, to September 3, 2013, Ms. Rooney testified that she was a trainee

appraiser at that time, that she communicated with Fischer while the Respondent was in Hawaii, that Anna Woodard proceeded on appraisal reports on her own without telling anyone, that Anna Woodard acted as though as was an Appraiser, that she is not aware if Anna Woodard had any authority from Fischer, that she never had trouble communicating with Fischer while Fischer was out in Hawaii, that she was never told that Fischer would be unavailable while vacationing in Hawaii, that paragraph number 15 of the Allegations of Fact is not a true statement, that the Board's Exhibit 8, her letter, is true and correct, and that she stands by her letter.

On cross, Ms. Rooney testified that she is paid per appraisal report that she produces, that her telephone number is in some texts in the Board's Exhibit 15, that from page 1 of the Board's Exhibit 15 she did not know what a CMA is, that she knew what a Comparative Market Analysis on page 2 is, that Anna Woodard kept her in a state of turmoil, that she apologized for listening at the Hearing Room door, that she did so as she was ready to go, that as she works in Mooreland she is not in the Oklahoma City office every day, that appraisal research is part of the appraisal process, that Anna Woodard's work quality that she saw was poor, that she had engaged in the appraisal process for ten (10) years, and that it takes her not less than four to five hours to complete an appraisal report.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports done during the Respondent's absence on her Colorado vacation trip, Ms. Rooney testified that the third appraisal report (Bd. 12-3) in the Board's Exhibit 12 was for the subject property at 1810 Green Meadows Road, Alva, Oklahoma, with an effective date of July 13, 2013, that she signed with the Respondent's electronic signature on July 17, 2013, that she had access to Fischer's electronic signature, that she did the appraisal report, that Fischer reviewed it, that July 13, 2013, was the day she inspected the subject property and that Fischer made no inspection of the subject property.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports done during the Respondent's absence on her Colorado vacation trip, Ms. Rooney testified that the appraisal

report in the Board's Exhibit 12 for the subject property at 2730 Kansas Ave., Woodward, Oklahoma, with an effective date of July 13, 2013 (Bd. 12-9), that she signed it with the Respondent's electronic signature on July 16, 2013, that Fischer did not inspect the subject property as Fischer was out of state in Colorado that day.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports done during the Respondent's absence on her Colorado vacation trip, Ms. Rooney testified that the appraisal report in the Board's Exhibit 12 was for the subject property at 2515 4th Street, Woodward, Oklahoma (Bd. 12-10), with an effective date of July 18, 2013, was signed with the Respondent's electronic signature on July 25, 2013, that she (Rooney) and not Fischer took photographs of the property, and that Fischer did not inspect this property.

When questioned about the Board's Exhibit 12 (short stack) of Fischer appraisal reports done during the Respondent's absence on her Colorado vacation trip, Ms. Rooney testified that the appraisal report in the Board's Exhibit 12 was for the subject property, a manufactured home, at 199078 E. County Rd. 41, Woodward, Oklahoma (Bd. 12-11), with an effective date of July 13, 2013, that was signed with the Respondent's electronic signature on July 25, 2013, that she (Rooney) helped on this report (page 4 of 7), that it was not signed by her as a Trainee Appraiser and that no one signed it as her Supervisory Appraiser, that the representation that Fischer does 120 inspections herself a month appears odd but that number is not out of line with others she has seen, that she did not believe that Fischer could do 120 inspections by herself each month, that she did not recall this property having been inspected by Fischer (page 7 of 7), that Fischer signed it as the Appraiser and not as her supervisor.

When questioned about work during the time period when Fischer was out of state on vacation in Hawaii from August 18, 2013, to September 3, 2013, Ms. Rooney testified that the appraisal report in the Board's Exhibit 13 for the subject property at 11908 E. County Rd., Woodward, Oklahoma (Bd. 13-5), with an effective date of September 2, 2013, was a report that she worked on, that Fischer viewed this

property earlier, and that she does not know if Fischer inspected it on the effective date as Fischer represented in her Appraiser's Certification.

The Board's Prosecutor read USPAP FAQ #244 page F-116 entitled "Significant Professional Assistance (New)" into the record as well as the last paragraph thereof from page F-117. Ms. Rooney testified that she (Rooney) did the appraisal report for the subject property at 11908 E. County Rd., Woodward, Oklahoma (Bd. 13-5), not Fischer.

When questioned about work during the time period when Fischer was out of state on vacation in Hawaii from August 18, 2013, to September 3, 2013, Ms. Rooney testified that the appraisal report in the Board's Exhibit 13 for the subject property at 600 S. Locust Street, Shattuck, Oklahoma (Bd. 13-7), with an effective date of September 2, 2013, was inspected by both her and Fischer together at some point, that she did not recall the date of such joint inspection, and that such joint inspection could not have been on the stated effective date because it was a date when Fischer was in Hawaii.

When questioned about the Board's Exhibit 2, Suzanne Rooney testified that Fischer is the only licensed Appraiser in the Respondent's Oklahoma City office, that she agreed that the representation on page 12 that 620 appraisals had been performed in a period of five (5) months works out to be 124 appraisals per month or over four (4) a day in a 30 day month, that performing 620 appraisals in a five month period of time is a good workload, that in 2013 that Robert Lee Elder, III, was Fischer's boyfriend, that Anna Woodard was apparently appraising properties while the Respondent was out in Hawaii, and that Anna Woodard withheld what she was doing while Fischer was out in Hawaii.

When questioned about some of the text messages in the Board's Exhibit 4, Ms. Rooney testified that the text on page 3 dated August 25, 2013, was sent while Fischer was in Hawaii, and that as to the text on page 7 that she was not aware that Anna Woodard was doing anything.

When questioned about the Board's Exhibit 5, Ms. Rooney denied that Fischer told her what to say.

When questioned about the appraisal report in the Board's Exhibit 13 for the subject property at RR 3, Box 7, Woodward, Oklahoma (Bd. 13-10), with an effective date of August 17, 2013, Ms. Rooney testified that she did not know when Fischer was in Hawaii, and that she and Fischer go over each appraisal report together.

When questioned about the appraisal report in the Board's Exhibit 13 for the subject property at 7 Pioneer Est., Woodward, Oklahoma (Bd. 13-11), with an effective date of August 1, 2013, Ms. Rooney said that she and Fischer inspect three or four properties in Woodward together every Saturday.

When questioned about the appraisal report in the Board's Exhibit 13 for the subject property at 420 N. Laing Ave., Watonga, Oklahoma (Bd. 13-13), with an effective date of August 14, 2013, Ms. Rooney stated that she assisted Fischer on this report, that she did not recall if Fischer actually inspected this property as represented to which statement the Board's Prosecutor agreed as being correct that we do not know if Fischer inspected this property as Fischer did not submit her work files that she is to keep for five (5) years.

When questioned about the appraisal report in the Board's Exhibit 13 for the subject property at 715 12th Street, Woodward, Oklahoma (Bd. 13-14), with an effective date of August 12, 2013, Ms. Rooney testified that she and Fischer inspected properties together sometimes, that she did not know the actual date of inspection, and that she did not know who took the photographs.

Due to the lateness of the hour, the Hearing Panel recessed the Hearing at this time for the second day during Suzanne Rooney's testimony on cross-examination until another day.

Day Three (October 2, 2014)

Upon resuming the Hearing, the Board's Hearing Counsel, Bryan Neal, reminded Ms. Rooney she was still under oath at which time, the Board's Prosecutor began her cross-examination.

Suzanne Rooney Testimony Continued (Summary)

When questioned about the Board's Exhibit 19, Suzanne Rooney identified the document to be the one page Report of Supervisory Relationship, REA-8 Form that she signed as a Trainee Appraiser and Fischer signed to be her Supervisory Appraiser on January 15, 2010, which exhibit was admitted without objection.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be selected excerpts from the Board's Exhibit 13 containing certain of Respondent's appraisal reports generated between August 18, 2013, to and including September 3, 2013, during the period of time when the Respondent was physically out of the State of Oklahoma in Hawaii, which document was objected to by the Respondent as being cumulative, and which objection was overruled in order to facilitate testimony.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be another appraisal report in the Board's Exhibit 13 for the subject property at 1382 Missouri Street, Waynoka, Oklahoma (Bd. 13-16), with an effective date of August 1, 2013, testifying that she remembered the report while not remembering its date, and that she did not know if Fischer inspected this property.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be another appraisal report in the Board's Exhibit 13 for the subject property at 16564 Highway 281, Chester, Oklahoma (Bd. 13-19), with an effective date of August 5, 2013, testifying that while she inspected the subject property, she did not know if the Respondent inspected it with her.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be another appraisal report in the Board's Exhibit 13 for the subject property at 209 6th Street, Medford, Oklahoma (Bd. 13-20), with an effective date of August 17, 2013, testifying that she inspected the

subject property, that she did not know if Fischer inspected the subject property, and suggesting that the date stated thereon could be a revision date as a result of a request from the lender.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be an appraisal report in the Board's Exhibit 13 for the subject property at 2020 W. 7th Place, Elk City, Oklahoma (Bd. 13-23), with an effective date of August 19, 2013, testifying that she did not recall if the Respondent inspected the subject property with her or not.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be an appraisal report in the Board's Exhibit 13 for the subject property at 2822 Wildoak Circle, Enid, Oklahoma (Bd. 13-24), with an effective date of August 12, 2013, testifying that she did not recall if Fischer inspected the subject property or not.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be an appraisal report in the Board's Exhibit 13 for the subject property at 4301 Rampart Street, Enid, Oklahoma (Bd. 13-25), with an effective date of August 17, 2013, testifying that she did not recall if the Respondent inspected this subject property or not.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be an appraisal report in the Board's Exhibit 13 for the subject property at 4226 Oakcrest Ave., Enid, Oklahoma (Bd. 13-26), with an effective date of August 17, 2013, testifying that she did not recall if Fischer inspected the subject property or not.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be an appraisal report in the Board's Exhibit 13 for the subject property at 2209 Red Cedar Drive, Weatherford, Oklahoma (Bd. 13-33), with an effective date of August 21, 2013, testifying that she could not recall if Fischer inspected the subject property or not, and speculating that Fischer could have done so.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be an appraisal report in the Board's Exhibit 13 for the subject property at 4853 Berryhill Drive, Woodward, Oklahoma (Bd. 13-35), with an effective date of August 20, 2013, testifying that she (Rooney) inspected the subject property, and that she could not recall if Fischer inspected the subject property.

When questioned about the Board's Exhibit 13A, Suzanne Rooney identified the document to be an appraisal report in the Board's Exhibit 13 for the subject property at 1816 8th Street, Woodward, Oklahoma (Bd. 13-36), with an effective date of August 26, 2013, testifying that she (Rooney) inspected the subject property, and that she did recall if the Respondent inspected the subject property with her or not.

On redirect, the Respondent requested that Suzanne Rooney state what an effective date means in an appraisal report to which she said that an effective date means the date of an inspection, that she believes that some of the Respondent's effective dates were actually inspected before the Respondent's Colorado and Hawaii vacation trips, that some appraisal reports were signed by the Respondent after she returned from her Colorado and Hawaii vacation trips, that sometimes lenders request some action that is taken later which affects the signature dates, that she and the Respondent use the same software, that Fischer has all of the final judgments, that Fischer makes revisions, that Fischer has the final say on the value conclusion and everything, and that nothing she (Rooney) does is independent of Fischer.

When questioned about her training log, Suzanne Rooney testified that appraisal reports take a different amount of time out in the Woodard office as compared with the Oklahoma City office, that more time is required in the Oklahoma City office, that everyone differs in their speed in completing appraisal reports, that driving time is not part of the hours she includes in her time appraising, that while Fischer was out in Hawaii that Anna Woodard answered the phone, that she (Rooney) did not

direct Anna Woodard to do anything independent, and that Anna Woodard wanted to do her interoffice tasks in Fischer's absence.

When questioned about the Board's rules on supervisors, Ms. Rooney testified that the Board's Rule was at OAC 600:10-1-16, that part F thereof stated what role the supervisor was to play, that it was under this rule that she and Fischer worked.

When questioned about other Board rules, Ms. Rooney referred to USPAP 2012-13 Edition, FAQs, page 116 FAQ#244, page 117 FAQ #245, testifying that USPAP provided no definition of a supervisory appraiser, that an "AMC" is an Appraisal Management Company who are the people from whom they receive their work assignments, that most AMCs want to know the manner in which a trainee appraiser contribute in an appraisal report, that USPAP Standards Rule 8-3 on Personal Property was relevant until the Board's Prosecutor pointed out its inapplicability because such standard applied to Personal Property only.

When questioned about her training on redirect, Ms. Rooney said that she had never heard any of the things the Board's Prosecutor asked her about, that she intends to continue with Fischer, that nothing done in the past was unlawful, and that they did not cut corners.

When questioned on the subject property at 2209 Red Cedar Drive, Weatherford, Oklahoma (Bd. 13-33), with an effective date of August 21, 2013, Ms. Rooney admitted that she inspected the subject property without Fischer being there.

When questioned about USPAP Standards Rule 2-3 as to the certifications required of an Appraiser, Ms. Rooney testified that Fischer signed such certifications and that she (Rooney) did not sign any appraisal reports.

In response to Panel member questions, Ms. Rooney testified that she never signed a "Non-Compete Agreement", that no one had ever asked her to sign a "Non-Compete Agreement", that after Fischer's authorization she signed Fischer's name electronically on a case by case basis, that when she

used the phrase "comp sales considered" but did not ever supply such information so that a lender could replicate the results that she admitted that it should have been documented better, admitted that no documentation of reviewed reports was produced in the Hearing, and that she saw some engagement letters of the Respondent but not all of them.

When questioned by a Panel member as to whether it was reasonable for a client to believe that the appraiser named does the bulk of the appraisal report when no other assistance is disclosed then is it misleading, Ms. Rooney said that Fischer discloses her assistance, and that she agreed that it should be elaborated on what each person does to assist the named appraiser.

Ms. Rooney testified about her training, that she knows of others that do the same things that she does, and that she refused to name any of the others that she knows of that do the same things that she does.

Shannon Zoeller Testimony (Summary)

Upon being duly sworn, Shannon Zoeller testified that he lived in Oklahoma City, that he was employed by the Respondent's company ABC Appraisal Service, Inc. as an Administrative Assistant, that had not attended college, that he was good with computers, that he was self-taught, that he was previously employed at Arcon Data as an office Manager, that he was hired in May of 2013 first as an Office Assistant and then he was trained to input information from the county assessor's office, that Anna Woodard was his trainer, that Anna Woodard showed him data entry program that was new to him, that he learned to access the county assessor's records through the assessor's website, that he used the Multi-Listing Service (MLS) that he referred to as the Metro Listing System, that he has an account with MLS, that he took a MLS class.

Continuing, Mr. Zoeller stated that he now sets up the Respondent's appointments, that he maps out a schedule with different people, that he sets up her actual route, that he literally makes a map for the Respondent, that he was originally trained by Anna Woodard, that in his opinion Anna Woodard was nice to him but she created a hostile environment as Anna Woodard was always negative as was Diane Ward, that

Anna Woodard repeatedly said that the Respondent was crazy and so was Diane Ward, that such comments were constant, so much so he almost quit over it, that he tried to stay neutral, that he did not tell the Respondent about it initially, that the workplace normally was fine, and that it was Anna Woodard.

When questioned, Mr. Zoeller said that he knew that Anna Woodard was doing her appraisal homework at work, that Anna Woodard brought her kids into work several times, that the Respondent tried to be professional, that Anna Woodard tried to get the Respondent excited, that the Respondent checked in regularly as the maps provided were not always accurate, that the Respondent has total access to all of the computers, that she had software on her I-Pad, that he was never licensed by the Board, that he never took any appraisal training, that he never did anything that was not supervised, and that he never made any appraisal judgments.

Continuing, Mr. Zoeller said that he was acquainted with Robert Elder, that he saw nothing that was ever done by Robert Elder, that Anna Woodard told him that she passed her Appraisal classes, that he was not sure of much about the Respondent's July 2013 trip to Colorado as he had just started working for the Respondent at that time, that he did know about the Respondent's Hawaii trip, that the Respondent said to call her whenever he needed to, that he did not actually do so because Anna Woodard told him that she was in constant contact with the Respondent, and that he heard that Anna Woodard had passed her appraisal tests and as such was ready to begin appraising.

When asked about his co-workers, Mr. Zoeller testified that he knew that Dean Taylor was a Trainee Appraiser, that he spoke daily with Dean Taylor about his reports, that he knew that Suzanne Rooney was a Trainee Appraiser who spoke with the respondent several times a day, that Dean Taylor was not independently working, that he had telephone communications with Suzanne Rooney on every appraisal report by Suzanne Rooney, that most all in the office had access to the user names and passwords but not bookkeeping, that the appraisal software has to be logged in periodically, and that he was not aware of any trainee appraiser using the Respondent's electronic signature without her permission.

When questioned as to the "non-compete agreement" for Anna Woodard, Mr. Zoeller stated that he had heard about it but that he knows nothing, that he never heard any threats made to Anna Woodard if she did not sign the "non-compete agreement", that he never heard the Respondent threaten Anna Woodard, that he never heard that Robert Elder paid anything to Anna Woodard for any test taking, that he did not think that Anna Woodard was very honest, that the Respondent has never been anything but honest with him, that the Respondent is at her desk every day at 5:00 a.m., that the Respondent works throughout the day, and that she answers appraisal e-mails at 8:00 p.m. at night.

On cross, Mr. Zoeller testified that he was not privy to every communication between the Respondent and Anna Woodard, Dean Taylor, or others, that the Respondent and Suzanne Rooney spoke by telephone, that he pulls no comparable sales, that he never saw if Anna Woodard conducted inspections, that Anna Woodard said that she takes photographs, that he is not sure if she did, and that as to the text message on page 28 of the Board's Exhibit 4 evidencing that Anna Woodard took photographs for appraisal reports that he had no reason to think that it did not happen as so indicated.

Continuing on cross, Mr. Zoeller stated that Anna Woodard was never fired by the Respondent, that he knows as he was there when she went to work, that he did not know why Anna Woodard was presented with the "non-compete agreement" to sign, that he has not signed a "non-compete agreement", that he has not seen the Respondent's response to the grievance in this matter, that liability for liquidated damages in the amount of \$100,000.00 was not threatened against him, that he has signed non-compete agreements before, that he thinks that Robert Elder is an Attorney but he is not sure that he is, that he does know if a company called "Complete home Rentals" is owned by Robert Elder, that the Respondent now mainly appraises in the Oklahoma City metro-area and not so much in Weatherford, that the Respondent inspects 5 to 10 properties a day depending upon the day, that a busy day for the Respondent could be a few more than 5 to 10 inspections a day, that to his knowledge the Respondent is honest, that Anna Woodard never returned to work, that Anna Woodard took a list of the Respondent's clients with her, that Anna Woodard

interviewed for a job with others, and that Anna Woodard claimed that she had another job offer.

When questioned about a text from the Respondent on page 27 of the Board's Exhibit 4 as to what the Respondent meant, Mr. Zoeller stated that he did not know what the Respondent meant in her text and that he could not make out the date of the text.

When questioned by members of the Hearing Panel, Mr. Zoeller testified that Anna Woodard was doing her appraiser training on the Respondent's computer, that sometimes an Appraisal Management Company (AMC) will accept a two (2) week time frame for an assignment, and that no inspections were performed to his knowledge while the Respondent was in Hawaii.

Diane B. Ward Testimony (Summary)

Upon being duly sworn, Diane B. Ward testified that she lived in Oklahoma City, that she had two children, that she was a Bookkeeper for the Respondent's company ABC Appraisal Service, Inc., that she has been a bookkeeper for thirteen years, twelve of which were for an Oklahoma City law firm now relocated to Edmond named Kornfeld Franklin Renegar & Randall, that she was a bookkeeper for Remington Capital, that she was first employed at the Respondent's company ABC Appraisal Service, Inc. in May 2013 until September 2013, that the Respondent hired her for the Respondent's company ABC Appraisal Service, Inc., that when she was hired the Respondent's books were in really bad shape and that the Respondent did not know specifics, that whoever did the books before her had no bookkeeping background, that she eventually got things cleaned up, that she has never been licensed as an appraiser, and that the respondent is in the office a lot.

Continuing, Ms. Ward testified that Anna Woodard told her a little bit the first day about the office but that she pretty much had to figure out everything else on her own, that Anna Woodard ended up being a total liar and a con, that Anna Woodard said a lot of crazy things, that Anna Woodard pitted her against the Respondent, that Anna Woodard said terrible things about the Respondent, that she woke up one day as she did not see the Respondent acting the way Anna Woodard said she was acting, that Anna Woodard

said that the Respondent wanted her to run the Respondent's office while the Respondent was in Hawaii, that Anna Woodard was going to open her own appraisal company, and that Anna Woodard said that she was going to move on using the Respondent as a stepping stone.

When questioned as to her duties as Fischer's bookkeeper, Ms. Ward testified that Anna Woodard and Shannon Zoeller gave her their timesheets, that the Respondent did not want to pay overtime hours to Anna Woodard, that Anna Woodard's time and timesheets did not match, that it took time to figure it out, and that Anna Woodard did not use the excel program to keep track of her time as hers was all handwritten. Ms. Ward identified the Respondent's Exhibit 10 as being her handwritten notes of Anna Woodard's work time discrepancies, that Anna Woodard owed the Respondent three hours of time, that Anna Woodard did a little at a time to cheat on her time, that page 2 of the Respondent's Exhibit 10 was Anna Woodard's handwritten time which was okay on this page, that page 3 of the Respondent's Exhibit 10 was Anna Woodard's timesheet where she overcharged Fischer 30 minutes, that Anna Woodard initially was paid for all of this time (4 timesheets), that the time period end was June 27, 2013, and that Anna Woodard overcharged one hour on another timesheet. There being no objection, the Respondent's Exhibit 10 was admitted into evidence.

Ms. Ward proceeded to identify the Respondent's Exhibit 6 as being her letter, and that the Respondent's Exhibit 6 was a true and correct copy of her letter. There being no objection, the Respondent's Exhibit 6 was admitted into evidence.

Continuing, Ms. Ward said that Anna Woodard wanted a paid day off on Labor Day and that Fischer did not want to pay it, that at that point, she and Anna Woodard basically quit communicating, that she was present in the office on September 20, 2013, when Anna Woodard did not come back from lunch, that September 20, 2013, was also her last day to work for the Respondent the first time she worked for Fischer, that she did not know about Anna Woodard's departure until the following Monday, that she was offered another job that she accepted in order to get away from Anna Woodard, that Fischer was a hard worker,

that she was floored by the Respondent's energy level, that the office was happier when the Respondent was present, that the Respondent was working all day all the time, that Fischer speaks loudly so she heard every word that the Respondent says, and that the Respondent spoke with Suzanne Rooney daily.

When questioned about Anna Woodard's appraisal activities, Ms. Ward testified that the respondent did take Anna Woodard with her to perform inspections of properties, that she did not know of any instances when Anna Woodard did any appraisals on her own, that she knew that Robert Lee Elder, III, was an Fischer's boyfriend at the time, that she did not know of Robert Lee Elder, III, having performed any inspections, that she did not know if Anna Woodard ever said that Anna Woodard became licensed as a trainee, that the five hour time differences were the only obstacles while Fischer was in Hawaii, that she was able to contact the Respondent while she was out in Hawaii, that no one did any appraisals independent of Fischer, that she (Ms. Ward) had nothing to do with the appraisal business, that Shannon Zoeller said that Fischer drove him crazy as she was into detail, that the Respondent's method of operation was why say only five words when you can say 500, that she never heard Robert Lee Elder, III, ask Anna Woodard to take USPAP or other continuing education courses in his place, and that she did not know if Robert Lee Elder, III, offered to pay Anna Woodard \$100.00 or any other amount of money to take a test or course in his stead.

At this point, Ms. Ward testified about her return to Fischer's employment that occurred in March of 2014, that she returned as she wanted to work for the respondent now that Anna Woodard had was gone, that the work atmosphere was better without Anna Woodard there, that it was 1000 times better without Anna Woodard there, that the Respondent was sensitive to the family needs of her staff, and that Fischer was responsive to her on bookkeeping matters.

On cross, Ms. Ward said that she and Fischer were friends, that she had had no appraiser training, that the Respondent was out in the field one or two days a week, otherwise she was in the office, that she (Ms. Ward) was not there on weekends, that she only sees appraisal invoices not appraisal reports themselves, that she has never sent a payment back to a client other than the few times there was a

duplicate payment, that Anna Woodard always worked overtime hours and never just a forty hour workweek despite Fisher's wishes to the contrary, that Anna Woodard was not fired over her overtime work or hours, that Anna Woodard was always using Fischer for experience and training, that it seemed like the Respondent is involved in every step, that she has no idea of what Robert Lee Elder, III, did, that she was never in a car with him, that the Respondent's office remained open in Fischer's absence, that revenue was important to the respondent, that she knew that Robert Lee Elder, III, was an Attorney that owned a real property rental company the name of which she did not know, that the Respondent's company ABC Appraisal Service, Inc. owned a company car that is Fischer's car, a Mini Cooper, that no one but Fischer used, that it took her a while to figure Anna Woodard out as to the negative environment, that Anna Woodard had her fooled for a while, that Anna Woodard was putting out a lot of work for the Respondent, and that she changed her mind about Fischer before she left the Respondent's employment as she had only seen Fischer through Anna Woodard's eyes.

When questioned about the last page of Respondent's Exhibit 6 as to trade secrets, Ms. Ward testified that she knew nothing specific, just that Anna Woodard used the Respondent for her knowledge.

When questioned about the complaint filed herein by Anna Woodard, Ms. Ward testified that she had read the complaint, that she did not know who supplied it to her, that she guessed that it was Jennifer Luttrell that gave it to her who was the bookkeeper after she left the employment of the Respondent, that she has no idea of when any appraisal reports are done for which she invoiced clients, that she did not write or generate checks for the Respondent as the Respondent's CPA did so, that Anna Woodard was reimbursed for her appraiser trainee fees by the Respondent, that Anna Woodard hardly ever took lunch but when she did do so Anna Woodard would not check out for lunch or write down her lunches taken, and that she shared an office with Anna Woodard for two weeks to one month.

Offers of the Testimony of Two Witnesses by Letter

At this point in her case, the Respondent through her Attorney requested the admission into

evidence as testimony of Respondent's Exhibit 5, an October 3, 2013, letter purportedly from Jennifer Lutrell, and Respondent's Exhibit 9, an October 4, 2013, letter purportedly from Peggy Oliver.

The Board's Prosecutor objected to the admission of both Respondent's Exhibit 5 and Respondent's Exhibit 9 as neither of the purported authors of the respective letters were physically present for the Hearing to authenticate their respective letters or were available for cross-examination.

The Board's Hearing Counsel denied the admission of Respondent's Exhibit 5 and Respondent's Exhibit 9 as neither of the purported authors of the respective letters were physically present for the Hearing to authenticate their respective letters or were available for cross-examination to which the Respondent's Attorney took exception to the denial of the admission of two letters that had no witnesses to authenticate or witnesses to cross-examine.

David James Testimony (Summary)

Upon being duly sworn, David James testified that he lives in Oklahoma City, that is an Attorney licensed in Oklahoma, that he has reciprocity in Wyoming, that his licenses to practice law in California and Texas are both inactive, that his practice is in oil and gas law, that he does oil and gas title work, that he renders title opinions, that he is not an appraiser, that he has no interest in becoming an appraiser, that he is engaged to Fischer, and that he resides at the Respondent's house.

Continuing, Mr. James testified that he is at the Respondent's office eight to ten hours a day, that he shares the office with the Respondent, the office environment is very professional, that Fischer is passionate about professionalism, that Fischer works eight to ten hours a day, that she is out of the office all day two to three days a week, that the Respondent occasionally works on weekends, and that he was not present in the office from February to September, 2013.

When asked about the Board's subpoena for documents issued to the Respondent, Mr. James testified that the subpoena seemed a little vague to him but that he was no expert, that the Respondent spoke to an unidentified woman with the Board's staff as to producing all work files requested, who said

that producing only the appraisal reports themselves would be sufficient, which is the course of action the Respondent chose to take at that time, and which reports the Respondent placed on a flash drive and submitted it to the Board in response to the subpoena.

On cross, Mr. James stated that he performed no appraisal work, that the certification he uses with his title opinions represents that everything therein is true and correct, that he and Fischer met in November 2013, that he moved into her house in March 2014, that nothing prohibited the Respondent from producing any of her work files that day, that the Respondent worked harder in 2013 than she does now, that her work files were voluminous in a storage facility, that there were ten four-drawer legal file cabinets plus banker's boxes.

Elizabeth A. Fischer Testimony (Summary)

Upon being duly sworn, Elizabeth A. Fischer testified that her name is Elizabeth Anne Fischer, that she met Anna Woodard through her hair stylist who referred her for clerical duties, that she hired Anna Woodard to perform for clerical duties such as answering the phone, create a filing system, perform basic mapping, how AMCs work, that within one month of Anna Woodard's employment that she asked how she could become an appraiser, that Anna Woodard was politely aggressive to learn more about the appraisal business, that Anna Woodard had had various financial setbacks, that Anna Woodard was disparate to feed her four children, that Anna Woodard asked Fischer to also hire her husband, that the Respondent did not want any more trainee appraisers including Anna Woodard's husband, that Anna Woodard asked her to hire her mother who was not very computer knowledgeable, that Anna Woodard was hard-working, that as Fischer had raised three children she respected Anna Woodard initially but that she was not aware of the office discord between Anna Woodard and Diane Ward, that Fischer was focused on her work, that she was not a very good boss, and that Shannon Zoeller was calm and not a complainer.

As to her employment of Anna Woodard, the Respondent testified that initially she did not pay for Anna Woodard's appraisal classes, that later she did reimburse Anna Woodard after some months for

training expenses, that Anna Woodard was good with customers and data entry, that Anna Woodard inspected properties with her in August of 2013, that she taught Anna Woodard how to measure properties and how to view such properties, that she assisted Anna Woodard in her appraisal pursuits, that Anna Woodard told her verbally that she had achieved licensure as a trainee appraiser, that at that time that she trusted Anna Woodard's words, that Anna Woodard has ability, that she is intelligent, that Anna Woodard believes in hard work, and that Anna Woodard is dishonest.

When questioned about performing property inspections on certain properties, the Respondent testified that on her way to Crested Butte, Colorado, with her daughter Alexandra in July of 2013, that she viewed a few properties in Woodard, Oklahoma, that it was just the two of them, that it was a long weekend, that she had her cell phone, laptop and iphone with her that allowed her to read her e-mail, and that it was actually on her way to Colorado Springs, Colorado, rather than to Crested Butte, Colorado.

When questioned about her work experience with Suzanne Rooney, the Respondent stated that she works well with Ms. Rooney, that Suzanne Rooney knows her ethics, that Fischer gives the final okay, that she always reviews every appraisal report of Suzanne Rooney's, that overall she has worked with Suzanne Rooney for ten years, that previously Ms. Rooney was a licensed trainee appraiser when she worked with Ms. Rooney some time ago as well as more recently when Ms. Rooney was a licensed trainee once again, and that Suzanne Rooney was very competent and trustworthy.

The Respondent admitted that during her Hawaii vacation trip from August 18 to September 3, 2013, that some of her appraisal reports carried dates occurring during that trip.

When questioned about her work experience with Dean Taylor, the Respondent stated that she was appraising Dean Taylor's house when they actually met, that Dean Taylor had his own full license and that he knew Custer County, Oklahoma, as he was born and raised there, that Dean Taylor was impressive but that he had computer limitations that he later overcame.

Continuing, the Respondent testified that there was no authorization for Anna Woodard to perform one hundred percent (100%) of appraisal reports, that Anna Woodard did more appraisal work behind her back than she knew of, that she signed many appraiser certifications as the Appraiser on the left-hand side of the report form as the other signature line as the Supervisor of a Trainee Appraiser as AMC's typically don't accept appraisal reports from trainee appraisers, that she was familiar with the Board's rules on supervisory appraisers in OAC 600:10-1-16, that she never read in USPAP that she was required to sign appraisal reports of her trainee appraisers as their Supervisor, that she has no trainee appraisers now, that she wishes that she had stated more as to the assistance that was provided than she had previously done, and that she never had any intent to mislead anyone.

When questioned about the Board's Allegations of Fact No. 8 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that Anna Woodard, contrary to the allegation of having been terminated by her, that it was not true, that the Respondent had no idea that Anna Woodard was working with another appraiser or working after hours with another appraiser, that Anna Woodard was disgruntled over many things in September of 2013, that Fischer wanted her to start taking lunches and that she was concerned about Anna Woodard's basic ethics, that Robert Lee Elder, III, advised her as to use of a "non-compete agreement" and that he prepared the "non-compete agreement", that they presented the "non-compete agreement" to Anna Woodard who asked if she could take it home to review over the weekend, that had Anna Woodard not signed the "non-compete agreement" that Fischer was going to keep her as clerical only, that Anna Woodard was polite and calm, that Anna Woodard asked if she could take a lunch break, that Anna Woodard never returned from her lunch break or called in, that Anna Woodard did not return to work the next Monday, that Anna Woodard had a business e-mail address with her company that Fischer was worried about, that Anna Woodard filed for unemployment, that Fischer's CPA told her that the unemployment claim was denied, and that later another letter arrived that indicated that Anna Woodard was subsequently

granted unemployment benefits.

The Respondent identified the Respondent's Exhibit 13 as a document that she and her Attorney Daniel J. Gamino prepared, to which document the Board's Prosecutor objected on the basis of relevance and that there were unrelated pages attached, which objection was sustained resulting in the admission of only the first page and the last page of the Respondent's Exhibit 13.

When questioned about the Board's Allegations of Fact No. 9 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that Anna Woodard was not given one hundred percent (100%) appraisal report completion authority by her, that she did not know that Anna Woodard was completing any appraisal reports but that apparently Anna Woodard was doing so, that she did not create a hostile working environment, that the Board's first certified letter to her was not actually received, that she got another certified letter from the Board as well as the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, and that the Board's staff never asked her any questions.

When questioned about the Board's Allegations of Fact No. 10 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that Anna Woodard did assist her side by side when Anna Woodard was working on becoming a licensed trainee appraiser.

When questioned about the Board's Allegations of Fact No. 11 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that no non-licensees completed any property inspections, some non-licensees did take some photographs, that one time Robert Lee Elder, III, took photos for her for a pre-foreclosure drive-by but she returned and took her own photos, and that she never used those taken by Robert Lee Elder, III.

When questioned about the Board's Allegations of Fact No. 12 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the

Respondent testified that it was the Hawaii trip and the allegation was not true, and that Anna Woodard was not to do any appraisals on her own.

When questioned about the Board's Allegations of Fact No. 13 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that the first sentence was not true, that she was very accessible through all avenues just like when she was in Oklahoma, that the second sentence was not true, that the third sentence was not true, that no appraisal reports were done with her knowledge or permission, and that Anna Woodard sent her no drafts of any appraisal reports to her in Hawaii.

When questioned about the Board's Allegations of Fact No. 14 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that she sent Anna Woodard out west to do as many as four property inspections in Custer County, that she was sure that she was going to go back in behind Anna Woodard to inspect the same properties herself in order to verify Anna Woodard's data, that she knew that she could do so and finish her own appraisal reports, and that she never told Anna Woodard to say to anyone that Anna Woodard was Fischer, that the third sentence was not true as she never threatened Anna Woodard's employment, that she kept hoping that Anna Woodard could do the appraisal work, and that the last sentence was not true as that is not her way of doing business.

When questioned about the Board's Allegations of Fact No. 15 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that the first sentence was not true as her trainees always had her assistance, that the second sentence was absolutely untrue because she reviews every appraisal report containing her signature, and that the trainees did have access to her electronic signature but only with her final say so.

When questioned about the Board's Allegations of Fact No. 16 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the

Respondent testified that she intended that the trainee-supervisor course was to be taken by her and Anna Woodard together, and that she did not ask Anna Woodard to take the trainee-supervisor class in her stead.

When questioned about the Board's Allegations of Fact No. 17 as provided in the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in this matter dated June 23, 2014, the Respondent testified that she denied the first sentence, that the second sentence was not true, and that the third sentence was not true to her knowledge.

When questioned about her compliance with the Board's subpoena for documents including her work files, the Respondent testified that the Board requested nothing else from her other than appraisal reports, that by telephone she spoke with a female on the Board's staff whose name is unknown by her who said that providing the appraisal reports on a disk was sufficient and that she did not need to submit her work files as well, and that later the Board never requested that she submit her work files by phone call or other request.

The Respondent testified that prior to being an appraiser she used to buy and renovate foreclosed homes and flipped them for a period of ten years, that she had lived and worked in Woodward until four and one-half years ago, that after living in Woodward she bought a distressed home in Nichols Hills and moved there which is where she now resides, that her father was not an appraiser, that she had no family assistance to start her business, and that she is very independent, that her eighteen year old daughter Liza was injured in a horrendous car accident ten years ago, that as a result her daughter is a special needs child, and that her daughter's doctors are located here which the key reason she moved to Nichols Hills.

The Respondent identified the Respondent's Exhibit 14 to be letters regarding Liza Fischer from three (3) Health Care Providers, to which the Board's Prosecutor objected on the basis of relevance, which objection was overruled due to the extensive testimony provided.

The Respondent identified the Respondent's Exhibit 18 consisting of 36 pages as being her daughter's nursing schedule evidencing her 24 hour care, seven days a week, that was admitted into evidence without objection. Continuing, Fischer testified that she has been licensed as an appraiser since 2001, that she's up early every day, that she's at her home office computer every morning at 6:15 a.m. to 6:30 a.m., that she's invested in computers to be efficient, that she's basically the supervisor of her staff, and that she does not cut corners.

On cross, when questioned about her grievance response (Board's Exhibit 10; Respondent's Exhibit 2), the Respondent testified that she hired Anna Woodard in February of 2013, that she stood by her grievance response statement in the second sentence of the first paragraph thereof that within the first six months of Ms. Woodard's hire that Ms. Woodard observed and assisted in completing well over 200 appraisals as well as accompanying her to approximately thirty homes, that the number of appraisals was a rounded number, that she and Ms. Woodard researched comparable sales together, that later Ms. Woodard's work performance began to slip, that she was with Anna Woodard on inspections, and that Ms. Woodard chose to not communicate with her or Suzanne Rooney.

When questioned about the text messages in the Board's Exhibit 4, the Respondent testified that Anna Woodard's text on page 8 of the Board's Exhibit 4 that she was doing properties while she was out in Hawaii raised no concern to her, that she was aware of the trip Anna Woodard took by herself in which Ms. Woodard made a final inspection while Fischer was out in Hawaii as documented in Anna Woodard's text on page 19 of the Board's Exhibit 4, and that she had already been out to Crescent on the manufactured home drive by referred to in Anna Woodard's text on page 27 of the Board's Exhibit 4.

When questioned about the Board's Exhibit 19 Report of Supervisory Relationship on Suzanne Rooney that she signed and the Board's Exhibit 20 Report of Supervisory Relationship on Dean Taylor, the Respondent admitted that there was no such form for Anna Woodard whom the Respondent

claimed had told her that at some point that Anna Woodard had become licensed as a trainee appraiser, for which she offered no explanation.

When questioned as to the Board's Exhibit 5, an e-mail from Anna Woodard to her, as to appraisals completed by Anna Woodard alone while the Respondent was in Hawaii, Fischer said that she was not sure about this but it appeared that Anna Woodard had done appraisals without her while the Respondent was in Hawaii, that the Respondent admitted that she had kept the money paid for the appraisals, that she had not returned or offered to return any money to any client for such Anna Woodard completed appraisal reports that bear her electronic signature, that she had not alerted or contacted any of her clients that Anna Woodard had completed appraisals without her permission the Appraiser or her review as the Appraiser of the appraisal reports.

When questioned about appraisal reports that were completed with her signature for Robert Lee Elder, III's company "Complete Home Rentals, LLC" as the purchaser, the Respondent testified initially that she had only done one (1) such report for Robert Lee Elder, III's company, that it was for a quad-plex with multiple structures, that it was no conflict for her to do such an appraisal report during the time period when she was romantically involved with Robert Lee Elder, III, that the first (1st) appraisal report she identified as the Board's Exhibit 21 on the subject property at 1016 N.W. 99th Street, Oklahoma City, Oklahoma (with Great Nations Bank, Norman, Oklahoma, as lender) , was her report and that it was not a quad-plex. There being no objection, the Board's Exhibit 21 was admitted into evidence.

When questioned about the second (2nd) appraisal report that was completed with her signature for Robert Lee Elder, III's company "Complete Home Rentals" as the purchaser during the time period when she was romantically involved with Robert Lee Elder, III, the Respondent testified that the appraisal report for the subject property at 172 & 174 N.E. 12th Street, Moore, Oklahoma (with no lender listed), that she identified as the Board's Exhibit 22, was an appraisal report that she remembered as having been done by

her. The Respondent objected to the admission of the Board's Exhibit 22, which objection was overruled and the Board's Exhibit 22 was admitted over the objection.

When questioned about the third (3rd) appraisal report that was completed with her signature for Robert Lee Elder, III's company "Complete Home Rentals" as the purchaser during the time period when she was romantically involved with Robert Lee Elder, III, the Respondent testified that the appraisal report for the subject property at 301 N.W. 84th Street, Oklahoma City, Oklahoma (with Great Nations Bank, Norman, Oklahoma, as lender), that she identified as the Board's Exhibit 23 was another one of her appraisal reports. The Respondent also objected to the admission of the Board's Exhibit 23, which objection was overruled and the Board's Exhibit 23 was admitted over the objection.

When questioned about the fourth (4th) appraisal report that was completed with her signature for Robert Lee Elder, III's company "Complete Home Rentals" as the purchaser during the time period when she was romantically involved with Robert Lee Elder, III, the Respondent testified that the appraisal report for the subject property at 136 NE 12th Street, #182, Moore, Oklahoma (with All America Bank, Mustang, Oklahoma, as lender) that she identified as the Board's Exhibit 24 was yet another one of her appraisal reports. The Respondent objected to the admission of the Board's Exhibit 24, which objection was overruled and the Board's Exhibit 24 was admitted over the objection.

When questioned about the fourth (4th) appraisal report that was completed with her signature for Robert Lee Elder, III's company "Complete Home Rentals" as the purchaser during the time period when she was romantically involved with Robert Lee Elder, III, the Respondent testified that the appraisal report for the subject property at 8605 NE 10th Street, Midwest City, Oklahoma (with Great Nations Bank, Norman, Oklahoma, as lender) that she identified as the Board's Exhibit 25 was again another one of her appraisal reports. The Respondent objected to the admission of the Board's Exhibit 25, which objection was overruled and the Board's Exhibit 25 was admitted over the objection.

When questioned about the appraisal report in the Board's Exhibit 13 for the subject property at RR 1, Box 256, Fay, Oklahoma (Bd. 13-28), with an effective date of August 30, 2013, Fischer testified that she personally inspected this property, that she has been inside this property that faces to the east, that she remembers this property, that the effective date may be wrong as she was in Hawaii on August 30, 2013.

When questioned about appraisal reports signed by the Respondent while she was out of state in Colorado on a vacation with her daughter Alex from July 13, 2013, to July 18, 2013, the Respondent identified the appraisal report for the subject property at 4732 N. Cromwell Ave., Oklahoma City, Oklahoma, with an effective date of July 5, 2013, that was signed by the Respondent on July 17, 2013, as the Board's Exhibit 26, the Respondent admitted that the said appraisal report was one of hers. There being no objection, the Board's Exhibit 26 was admitted into evidence.

When questioned about appraisal reports signed by the Respondent while she was out of state in Colorado on a vacation with her daughter Alex from July 13, 2013, to July 18, 2013, the Respondent identified the appraisal report for the subject property at 2931 Meadowview Drive, Woodward, Oklahoma, with an effective date of July 6, 2013, that was signed by the Respondent on July 16, 2013, as the Board's Exhibit 27, the Respondent admitted that the said appraisal report was one of her reports. There being no objection, the Board's Exhibit 27 was admitted into evidence.

When questioned about appraisal reports signed by the Respondent while she was out of state in Colorado on a vacation with her daughter Alex from July 13, 2013, to July 18, 2013, the Respondent identified the appraisal report for the subject property at 2333 N.W. 121st Street, Oklahoma City, Oklahoma, with an effective date of July 6, 2013, that was signed by the Respondent on July 17, 2013, as the Board's Exhibit 28, the Respondent admitted that the said appraisal report was another one of hers. There being no objection, the Board's Exhibit 28 was admitted into evidence.

When questioned about appraisal reports signed by the Respondent while she was out of state in Colorado on a vacation with her daughter Alex from July 13, 2013, to July 18, 2013, the Respondent

identified the appraisal report for the subject property at 1211 Cedar Place, Woodward, Oklahoma, with an effective date of July 8, 2013, that was signed by the Respondent on July 17, 2013, as the Board's Exhibit 29, the Respondent admitted that the said appraisal report was another one of hers. There being no objection, the Board's Exhibit 29 was admitted into evidence.

When questioned about appraisal reports signed by the Respondent while she was out of state in Colorado on a vacation with her daughter Alex from July 13, 2013, to July 18, 2013, the Respondent identified the appraisal report for the subject property at 16500 Sunflower Drive, Yukon, Oklahoma, with an effective date of July 9, 2013, that was signed by the Respondent on July 17, 2013, as the Board's Exhibit 30, the Respondent admitted that the said appraisal report was yet another one of her reports. There being no objection, the Board's Exhibit 30 was admitted into evidence.

When questioned on redirect about appraisal reports that were completed with her signature for Robert Lee Elder, III's company "Complete Home Rentals, LLC." as the purchaser while she was dating Robert Lee Elder, III, in 2013, provided in the Board's Exhibits 21 through 25, inclusive, the Respondent testified that she had no property interest in any of the five (5) subject properties, that she had no personal bias as to any of the five (5) subject properties as its business, that each of the appraisal reports on the five (5) subject properties was an arm's length transaction, and that she charged no more or less on any appraisal other than the one with multiple structures (Board's Exhibit 21 on the subject property at 1016 N.W. 99th Street, Oklahoma City, Oklahoma).

When questioned by a member of the Hearing Panel as to whether her house in Nichols Hills, Oklahoma, in which her business office is located, is zoned commercial, the Respondent testified that she did not know the zoning designation for her house although she knew that she was taxed by Leonard Sullivan.

This testimony closed out the third and final day of the Hearing.

Respondent's Exhibits

Through the course of this proceeding, the Respondent moved for and secured the admission of thirteen (13) exhibits into evidence (Respondent's Exhibits 2 through 4, 6 through 8, 10 through 15, and 18).

The Respondent's Exhibit 1 (not admitted)

The Respondent's Exhibit 2 Fischer Grievance Response

The Respondent's Exhibit 3 is a sketch of Fisher's Home Office in Nichols Hills

The Respondent's Exhibit 4 consists of photographs of Fischer's Home and Office in Nichols Hills

The Respondent's Exhibit 5 (not admitted-Witness unavailable)

The Respondent's Exhibit 6 is Diane B. Ward Letter dated October 6, 2013

The Respondent's Exhibit 7 is Greg Dean Taylor's e-mail from October, 2013, regarding the reasons he left employment with Fischer.

The Respondent's Exhibit 8 is Suzanne Rooney's letter

The Respondent's Exhibit 9 (not admitted- Witness not available)

The Respondent's Exhibit 10 is selected time records of Anna Woodard.

The Respondent's Exhibit 11 pages 1 and 4 only with Unemployment information on Anna Woodard.

The Respondent's Exhibit 12 is first Notice of Claim for Unemployment by Anna Woodard.

The Respondent's Exhibit 13 pages 1 and 10 only Elizabeth A. Fischer Letter to Board (undated) asserting that Grievant Anna Woodard, who has never been licensed as an appraiser, violated 59 O.S. §858-723(C)(5), (C)(9), and (C)(11), as well as 59 O.S. §858-732(A)(1).

The Respondent's Exhibit 14 consists of Letters regarding Liza Fischer (Daughter) from three (3) Health Care Providers.

The Respondent's Exhibit 15 (not submitted or admitted).

The Respondent's Exhibit 16 (not submitted or admitted).

The Respondent's Exhibit 17 (not submitted or admitted).

The Respondent's Exhibit 18 consists of 36 pages of Patient Care Schedules for Liza Fischer (Daughter).

A Request for Oral Argument was timely filed by the Respondent's attorney. On February 4, 2015, both Daniel J. Gamino, counsel for the Respondent, and Stephen L. McCaleb, Board prosecutor, appeared before the Board and presented oral argument.

JURISDICTION

1. The OREAB has the duty to carry out the provisions of the Oklahoma Certified Real Estate Appraisers Act as set forth at Title 59 of the Oklahoma Statutes, §§858-701, *et seq.* and to establish administrative procedures for disciplinary proceedings conducted pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act.

2. The OREAB has promulgated rules and regulations to implement the provisions of the Oklahoma Certified Real Estate Appraisers Act in regard to disciplinary proceedings as set forth at the Oklahoma Administrative Code, §§600:15-1-1 thru 600:15-1-22, including administrative hearings.

3. The Respondent, ELIZABETH A. FISCHER, is a State Certified Residential Appraiser in the State of Oklahoma, holding certificate number 12352CRA and was first licensed with the Oklahoma Real Estate Appraiser Board on September 5, 2000.

FINDINGS OF FACT

The Board adopts in full the Findings of the Hearing Panel and that the following Facts were proven by clear and convincing evidence:

1. The Respondent, ELIZABETH A. FISCHER, is a State Certified Residential Appraiser in the State of Oklahoma, holding certificate number 12352CRA and was first licensed with the Oklahoma Real Estate Appraiser Board on September 5, 2000.

2. The Respondent in her conduct as an appraiser has engaged in improper actions.

These actions include an atmosphere of circumventing her duties as a licensed appraiser by having non-licensed persons complete appraisal tasks and assignments. These include, but are not limited to, the following findings of fact (including the findings of fact in this paragraph).

Employees of Respondent

3. During February of 2013, Respondent, dba ABC Appraisal Service, Inc., hired Anna Woodard ("Woodard") as an employee. This was Woodard's first exposure to the profession of appraising. She was told she was being hired to handle administrative duties. At no time during her employment with Fischer was Woodard licensed with the Oklahoma Real Estate Appraiser Board. Woodard was ultimately terminated by Fischer on or about September 20, 2013.

4. At the direction of Respondent, Woodard, while still an administrative assistant, would work on appraisals, as would other non-licensed employees of Respondent, and complete appraisal related activities. The work environment created by Respondent was perceived by Woodard to be hostile and the appraising work by non-licensees was also collectively perceived by Woodard as conditions to maintain employment.

5. The work completed by the non-licensees for the Respondent included inspections, taking photographs, and completing the appraisal forms. The Respondent admitted in her Response to the Grievance on page one that Woodard assisted in observing and completing over two hundred (200) appraisals and accompanied the Respondent to approximately thirty (30) homes. On page two of her Response to the Grievance, the Respondent admitted that reports that were completed by Woodard in the time-frame of June 2013 to mid-August 2013 were full of errors, misspellings, improper grammar, and these errors were on basic simple data entry as well as critical calculations and choice of comparable properties. The reports did not indicate that assistance was provided to the Respondent by anyone other than by trainee appraisers. Both making critical calculations and choosing comparable

properties are significant appraisal functions that should only be performed by licensed appraisers or trainee appraisers.

6. The Respondent went on a five (5) day vacation trip with her daughter to Colorado from July 13, 2013, to and including July 18, 2013, during which period the Respondent was physically outside of the State of Oklahoma, and during which period of time subject properties were inspected by non-licensees including Anna Woodard and others, appraisal reports were drafted and/or completed by non-licensees including Anna Woodard and others and appraisal reports were signed with the Respondent's electronic signature as the Appraiser, by non-licensees including Anna Woodard and others with the Respondent's generalized permission and not on a case by case basis.

7. While the Respondent was out of state in Colorado for five (5) days from July 13, 2013, to and including July 18, 2013, visual inspections of subject properties were completed by non-licensees including Anna Woodard and the subject properties were not actually visually inspected on the effective dates certified by the Respondent in multiple appraisal reports.

8. The Respondent went on a two-week (16) day vacation to Hawaii with Robert Lee Elder, III, from August 18, 2013, to and including September 3, 2013, during which period the Respondent was physically outside of the State of Oklahoma, and during which period of time subject properties were inspected by non-licensees including Anna Woodard and others, appraisal reports were drafted and/or completed by non-licensees including Anna Woodard and others and appraisal reports were signed with the Respondent's electronic signature as the Appraiser, by non-licensees including Anna Woodard and others with the Respondent's generalized permission and not on a case by case basis.

9. While the Respondent was out of state in Hawaii between August 18, 2013, to and including September 3, 2013, visual inspections of subject properties were completed by non-licensees including Anna Woodard and were not actually visually inspected by the Respondent on the effective dates certified by the Respondent in multiple appraisal reports.

10. During the two-week Hawaii vacation, with access to the Respondent's signature, Woodard completed approximately 20 appraisals on her own. After the Respondent's return from her two-week Hawaii vacation, Woodard was sent on further appraisal assignments by the Respondent.

11. There was no documentary proof or evidence that any of the e-mails or text messages produced through Anna Woodard were false or phony and no contrary e-mails or text messages were presented in the Hearing.

12. While the Respondent alleged that Woodard was not authorized to complete any of the Respondent's appraisal reports or perform any inspections of any subject properties while the Respondent was out of state in Hawaii between August 18, 2013, to and including September 3, 2013, no documentary or other evidence was produced or presented that the Respondent contacted the Board or any of her clients to apprise them of such unauthorized activity by Woodard, to subsequently provide appraisal reports authorized by the Respondent to any of her clients or that the Respondent returned or offered to return any of the money she received for her appraisals to any of her clients.

13. The Disciplinary Hearing Panel finds Anna Woodard to be a credible witness as documentary evidence was presented that backed up and supported her testimony and that Anna Woodard is more credible as a witness than is the Respondent. Further, the Disciplinary Hearing Panel did not find the Respondent to be very credible as she was evasive in her answers to questions. Still further, the Disciplinary Hearing Panel finds Anna Woodard to be much more credible as a witness than Suzanne Rooney because Ms. Rooney tried to avoid providing any direct answers to questions.

14. The completion of multiple appraisal reports by non-licensees on behalf of the Respondent resulted in multiple misleading reports that were not credible.

15. The Respondent made no effort to guard or protect her electronic signature from use, authorized or not, by anyone working in her office including trainee appraisers and non-licensees including Anna Woodard.

CONCLUSIONS OF LAW

The Board adopts in the full the Conclusions of Law as determined by the Hearing Panel below:

1. The Respondent has violated 59 O.S. §858-723(C)(6) through 59 O.S. §858- 726,

in that the Respondent violated:

- A) The Ethics Rule and the Conduct Section of the Uniform Standards of Professional Appraisal Practice Ethics Rule;
- B) The Competency Rule of the Uniform Standards of Professional Appraisal Practice;
- C) The Scope of Work Rule of the Uniform Standards of Professional Appraisal Practice;
- D) Standard 1, Standards Rules 1-1, 1-4, and 1-5; Standard 2, Standards Rules 2-1, and 2-3 of the Uniform Standards of Professional Appraisal Practice.

These include the sub sections of the referenced rules.

2. The Respondent has violated 59 O.S. §858-723(C)(5): "An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person."

3. The Respondent has violated 59 O.S. §858-723(C)(6): "Violation of any of the standards for the development or communication of real estate appraisals as provided in the Oklahoma Certified Real Estate Appraisers Act."

4. The Respondent has violated 59 O.S. §858-723(C)(7): "Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal."

5. The Respondent has violated 59 O.S. §858-723(C)(8): "Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal."

6. The Respondent has violated 59 O.S. §858-723(C)(9): "Willfully disregarding or violating any of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

7. The Respondent has violated 59 O.S. §858-723(C)(13), in that Respondent violated 59 O.S. §858-732(A)(1): "An appraiser must perform ethically and competently and not engage in conduct that is unlawful, unethical or improper. An appraiser who could reasonably be perceived to act as a disinterested third party in rendering an unbiased real property valuation must perform assignments with impartiality, objectivity and independence and without accommodation of personal interests."

FINAL ORDER

WHEREFORE, having adopted in full the Findings of Fact and Conclusions of Law entered by the Disciplinary Hearing Panel, the Board issues it's Final Order, modifying in part the Disciplinary Hearing Panel Recommendation as follows:

1. The appraiser credential of the Respondent Elizabeth A. Fischer shall be **SUSPENDED** for a period of twelve (12) months from the date that any final order is entered in this matter.

2. Respondent Elizabeth A. Fischer shall be placed on **PROBATION** for a period of **ONE (1) YEAR** beginning on the date that the twelve (12) month suspension of her appraiser credential ends. During the period of probation, Respondent Elizabeth A. Fischer shall provide an appraisal log on REA Form 3 to the administrative office of the Board no later than the fifth working day of each month detailing all his appraisal activity during the preceding month. The Board may select and require samples of work product from these appraisal logs be sent for review.

3. Respondent Elizabeth A. Fischer shall pay an administrative fine in the aggregate amount of **FOUR THOUSAND DOLLARS (\$4,000.00)** to the Board, of which amount the sum of **TWO THOUSAND DOLLARS (\$2,000.00)** is attributable to the violations committed by the Respondent Elizabeth A. Fischer during her out of state trip to Colorado from July 13, 2013, to and including July 18, 2013, and of which amount the sum of **TWO THOUSAND DOLLARS (\$2,000.00)** is attributable to the violations committed

by the Respondent Elizabeth A. Fischer during her out of state trip to Hawaii from August 18, 2013, to and including September 3, 2013. Payment of the fine shall be remitted to the Board in accordance with the manner contemplated by 59 O.S. § 858-723(B).

4. Respondent Elizabeth A. Fischer, shall successfully complete corrective education as follows:

- The **FIFTEEN (15) HOUR** Course Number 600: National USPSP Course. The course must be completed with a certificate of course completion transmitted to the administrative office of the Board within **ONE (1) YEAR** from the date of the Board Order. The course(s) must be tested and must be live courses, attended in person by the Respondent (not distance and/or correspondence and/or on-line courses). The course shall not be counted toward continuing education credit by the Respondent.

5. Respondent Elizabeth A. Fischer shall pay a portion of the costs expended by the Board for legal fees and travel costs incurred in this matter in the amount of \$4,000.00. The Board staff will provide a statement of the costs incurred to Respondent with the final order. Costs shall be fully paid within thirty (30) days from the date of any final order of the Board.

6. Respondent Elizabeth A. Fischer shall supervise no trainee appraiser(s) for a period of five (5) years from the date of any final order of the Board.

7. Pursuant to the Respondent's request, to which the Board's Prosecutor expressed no objection, a thirty (30) day stay is hereby granted from the date the Board issued this Final Order until the commencement of any of the imposed disciplinary sanctions.

8. Failure by Respondent to comply with any requirement of this order shall result in her appraisal credential being suspended instantly, with notification forwarded immediately to Respondent by Certified U. S. mail, return receipt requested.

THE BOARD WISHES TO ADVISE THE RESPONDENT THAT SHE HAS THIRTY (30) DAYS TO APPEAL THIS ORDER WITH THE APPROPRIATE DISTRICT COURT.

IT IS SO ORDERED this 4th day of February, 2015.



By: *Eric M. Schoen*
ERIC SCHOEN, Board Secretary

By: *Bryan Neal*
BRYAN NEAL, Assistant Attorney General
Counsel to the Board

CERTIFICATE OF MAILING

I, Ashley Snider, hereby certify that on the 9th day of February, 2015 a true and correct copy of the above and foregoing Board Order as to Disciplinary Hearing Panel Recommendation was served via Certified Mail, Return Receipt Requested to:

Daniel J. Gamino
GAMINO & ASSOCIATES, P.C.
James Town Office Park, North Building
3035 N.W. 63rd Street, Suite 214
Oklahoma City, OK 73116

7012 2210 0000 8959 8279

and that copies were forwarded by first class mail to the following:

Stephen L. McCaleb
DERRYBERRY & NAIFEH
4800 N. Lincoln Boulevard
Oklahoma City, OK 73105

Michael C. Prochaska, Hearing Panel Member
1827 South 29th
Chickasha, Oklahoma 73018

Jerry L. Jones, Hearing Panel Member
PO Box 3466
Shawnee, Oklahoma 74802

Robert J. Dunkle, Hearing Panel Member
1600 E. 126th Street North
Skiatook, Oklahoma 74070

Bryan Neal, Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
313 N.E. 21st Street
Oklahoma City, OK 73105



ASHLEY SNIDER

**RECAPITULATION OF MONTHLY BILLING
MATTER OF ELIZABTH A. FISCHER
COMPLAINT #13-021**

PERIOD		CURRENT BILLING	
DATE	COMPLAINT # AND RESPONDENTS	HOURS	AMOUNT

DERRYBERRY & NAIFEH LLP

12/01/2013 - 12/31/2013	#13-021 FISCHER	1.00	\$130.00
02/01/2014 - 02/28/2014	#13-021 FISCHER	4.00	\$520.00
04/01/2014 - 04/30/2014	#13-021 FISCHER	1.50	\$195.00
05/01/2014 - 05/31/2014	#13-021 FISCHER	7.25	\$942.50
06/01/2014 - 06/30/2014	#13-021 FISCHER	21.75	\$2,827.50
07/01/2014 - 07/31/2014	#13-021 FISCHER	37.00	\$4,810.00
08/01/2014 - 08/31/2014	#13-021 FISCHER	6.00	\$780.00
09/01/2014 - 09/30/2014	#13-021 FISCHER	82.00	\$10,660.00
10/01/2014 - 10/31/2014	#13-021 FISCHER	23.00	\$2,990.00
12/01/2014 - 12/31/2014	#13-021 FISCHER	1.00	\$130.00

Disciplinary Hearing Panel Mileage:

9/24/2014	<i>Michael C. Prochaska</i>		\$55.64
9/24/2014	<i>Robert J. Dunkle</i>		\$148.00
9/24/2014	<i>Jerry L. Jones</i>		\$41.44
9/25/2014	<i>Michael C. Prochaska</i>		\$55.64
9/25/2014	<i>Robert J. Dunkle</i>		\$148.00
9/25/2014	<i>Jerry L. Jones</i>		\$41.44
10/2/2014	<i>Michael C. Prochaska</i>		\$55.64
10/2/2014	<i>Robert J. Dunkle</i>		\$148.00
10/2/2014	<i>Jerry L. Jones</i>		\$41.44
10/6/2014	<i>Michael C. Prochaska</i>		\$55.64
10/6/2014	<i>Jerry L. Jones</i>		\$41.44

TOTAL BILLING

184.50 \$24,817.32

**"I CERTIFY THAT THIS IS A TRUE AND
ACCURATE RECAP OF AMOUNTS
INVOICED IN THE MATTER OF ELIZABETH A.
FISCHER.**

Dated this 4th day of February, 2015



**CHRISTINE MCENTIRE, DIRECTOR
REAL ESTATE APPRAISER BOARD**

