



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

February 3, 2016
Date

283
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a regular session meeting on February 3, 2016 at 9:39 a.m. The Meeting was held in the Public Meeting Room of the offices of the Oklahoma Insurance Department at 5 Corporate Plaza, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. §301 et seq., the agenda for this meeting was posted at the main entrance of the Oklahoma Insurance Department at 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma on Monday, February 1, 2016 at 9:00 a.m., and transmitted to the offices of the Board members on January 27, 2016 and posted to the REAB website on February 1, 2016. The agenda is attached as Exhibit "A".

I. **CALL TO ORDER.** Stephen C. Walton called the meeting to order at 9:39 a.m. The roll of Board members was called to establish a quorum.

Board members present were: Stephen C. Walton;
James R. Artman;
Betty J. Cagle;
H.E. Ted Smith;
Lee R. Caesar Jr.;
Shelley Pruitt

Board members excused were: John D. Doak and John Smithson

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

Others in attendance were: Christine McEntire, Director; Bryan Neal, Assistant Attorney General; Barron Brown, OID Counsel; Eric Schoen, Board Secretary and Sherry Ainsworth, Legal Secretary. Others present were: Steve McCaleb, Tyler Laughlin, and Brett Robinson.

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

Ms. Pruitt moved that the reading of the minutes of the January 6, 2016 session be waived and approved as published and distributed. The Motion was seconded by Mr. Caesar. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

John D. Doak entered the meeting.

V. **COMMITTEE REPORTS.**

C. **Legislation & Rules Committee.** No Action.

Brett Robinson offered a brief presentation as to the 2016 Legislative Session which began Monday, February 1st, 2016.

III. **DISCUSSION AND POSSIBLE ACTION REGARDING AN AFFIDAVIT OF SURRENDER**

IN LIEU OF DISCIPLINARY ACTION IN THE MATTER OF ELIZABETH A. FISCHER, COMPLAINT #15-015 AND IN THE MATTER OF ELIZABETH A. FISCHER, COMPLAINT #14-047 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "C")

Upon a brief presentation by Stephen McCaleb on behalf of the Real Estate Appraiser Board, Ms. Cagle moved to nominate Lee R. Caesar Jr. as temporary vice-chairperson. The Motion was seconded by Mr. Smith. The Chair ordered a roll call vote with the following results:

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

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

Mr. Smith moved to accept the Affidavit of Surrender. The Motion was seconded by Ms. Cagle. The Chair ordered a roll call with the following results:

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

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

IV. CHAIRPERSON'S REPORT. The Chairperson offered no report.

VICE-CHAIRPERSON'S REPORT. The Vice-Chairperson offered no report.

DIRECTOR'S REPORT.

A. Discussion and possible action regarding suspension of individuals for non-payment of annual fees due on November 30, 2016. (Exhibit "D")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to suspend individuals for nonpayment of annual fees listed in Agenda Item IV., Director's Report A. The Chair ordered a roll call vote with the following results:

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

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

B. Discussion and possible action regarding approval of renewal applications due by March 31, 2016 and authority to issue certificates. (Exhibit "E")

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

| | | |
|-----------------|------------|-----|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |

| | |
|--------------|---------|
| Mr. Smith | Yes |
| Mr. Walton | Yes |
| Ms. Pruitt | Yes |
| Mr. Smithson | Excused |
| Mr. Caesar | Yes |

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

C. Discussion and possible action regarding approval of original certificate of registration for appraisal management companies. (Exhibit "F")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to approve Board staff to issue certificates of registration to the companies listed in Agenda Item IV, Director's Report C. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

D. Discussion and possible action regarding approval of AMC renewal applications due by March 31, 2016 and authority to issue certificates. (Exhibit "G")

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

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

V. COMMITTEE REPORTS:

A. Standards and Disciplinary Procedures Committee. No report.

B. Education, Experience and Testing Committee:

1. Discussion and possible action regarding approval of course submittals. (Exhibit "H")

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

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

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

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

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

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

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

D. Probable Cause Committee.

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

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

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

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

Following discussion of Grievance #15-046, Mr. Pruitt made a Motion and it was seconded by Mr. Walton that the matter be forwarded to prosecution for further action. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------------|
| ROLL CALL VOTE: | Mr. Artman | Yes (Recused) |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Abstained |

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

Following discussion of Grievance #15-047, Mr. Smith made a Motion and it was seconded by Ms. Cagle that a non-disciplinary letter of concern be issued, the matter be

dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------------|
| ROLL CALL VOTE: | Mr. Artman | Yes (Recused) |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

Following discussion of Grievance #A15-048, Ms. Cagle made a Motion and it was seconded by Mr. Smith that the matter be dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------------|
| ROLL CALL VOTE: | Mr. Artman | Yes (Recused) |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

Following discussion of Grievance #15-049, Mr. Smith made a Motion and it was seconded by Mr. Caesar that the matter be forwarded to prosecution for further action. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------------|
| ROLL CALL VOTE: | Mr. Artman | Yes (Recused) |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

Following discussion of Grievance #15-050, Mr. Caesar made a Motion and it was seconded by Mr. Smith that the matter be forwarded to prosecution for further action. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------------|
| ROLL CALL VOTE: | Mr. Artman | Yes (Recused) |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

Following discussion of Grievance #15-051, Mr. Smith made a Motion and it was seconded by Ms. Pruitt that the matter be forwarded to prosecution for further action. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|------------|---------------|
| ROLL CALL VOTE: | Mr. Artman | Yes (Recused) |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |

| | |
|--------------|---------|
| Ms. Pruitt | Yes |
| Mr. Smithson | Excused |
| Mr. Caesar | Yes |

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

Following discussion of Grievance #15-052, Ms. Pruitt made a Motion and it was seconded by Ms. Cagle that a non-disciplinary letter of concern be issued, the matter be dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------------|
| ROLL CALL VOTE: | Mr. Artman | Yes (Recused) |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

VI. DISCUSSION AND POSSIBLE ACTION REGARDING THE ADOPTION OF PROPOSED PERMANENT RULEMAKING AT 10-1-5 QUALIFYING EDUCATION PREREQUISITE AND 10-1-16 SUPERVISION OF TRAINEE APPRAISERS AS POSTED IN THE NOVEMBER 5, 2015 NOTICE OF PROPOSED PERMANENT RULEMAKING FILED WITH THE OKLAHOMA SECRETARY OF STATE AND FOLLOWING A PUBLIC HEARING HELD ON JANUARY 6, 2016. (Exhibit "K")

Mr. Caesar moved that the Board adopt the proposed permanent rulemaking listed in Agenda Item VI. The Motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

VII. DISCUSSION AND POSSIBLE ACTION REGARDING ATTENDANCE BY BOARD MEMBERS AND BOARD STAFF AT THE SPRING CONFERENCE OF THE ASSOCIATION OF APPRAISER REGULATORY OFFICIALS IN PHOENIX, ARIZONA BETWEEN APRIL 8, 2016 AND APRIL 10, 2016. No Action. (Exhibit "L")

VIII. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF TRAVIS A. JONES AND DAVID A. CURTIS TO STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE WITH CONCURRENT APPOINTMENT AS APPRAISER HEARING OFFICERS FOR THE CALENDAR YEAR 2016. (Exhibit "M")

Ms. Pruitt made a Motion to accept the appointment of Travis A. Jones and David A. Curtis to the Standards and Disciplinary Procedures Committee. The Motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|--------------|---------|
| ROLL CALL VOTE: | Mr. Artman | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Yes |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Mr. Smithson | Excused |
| | Mr. Caesar | Yes |

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

IX. **NEW BUSINESS.** No action.

X. **ADJOURNMENT.** The Board adjourned by general consent.

OFFICIAL MINUTES.

The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after Motion duly made and seconded has been noted, herein, and made a part of these minutes. The Board caused the entire proceeding of the meeting, excepting any executive sessions, to be recorded on a digital audio recording device to be retained as a record in the office of the Board. Exhibits are A through M.



A handwritten signature in black ink, appearing to read "Stephen C. Walton".

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

A handwritten signature in blue ink, appearing to read "Eric M. Schoen".

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