



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

February 4, 2015  
Date

271  
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a regular meeting on February 4, 2015 at 9:30 a.m. The Meeting was held in the Public Meeting Room of the offices of the Oklahoma Insurance Department at 5 Corporate Plaza, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. §301 et seq., the agenda for this meeting was posted at the main entrance of the Oklahoma Insurance Department at 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma on Monday, February 2, 2015 at 9:00 a.m., and transmitted to the offices of the Board members on January 28, 2015 and posted to the REAB website on February 2, 2015. The agenda is attached as Exhibit "A".

I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar Jr. called the meeting to order at 9:30 a.m. The roll of Board members was called to establish a quorum.

Board members present were: John D. Doak;  
Lee R. Caesar Jr.;  
James R. Artman;  
Betty J. Cagle  
P. Lane Wheeler;  
Stephen C. Walton;  
Shelley Pruitt  
John P. Smithson

Board members excused were: None

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

Others in attendance were: Christine McEntire, Director; Bryan Neal, Assistant Attorney General; Barron Brown, OID Counsel; Eric Schoen, Board Secretary and Ashley Snider, Legal Secretary. Others present were: Steve McCaleb, Daniel Gamino, Ron Flowers, Crystal Flowers, Joe Garnand, Tyler McLaughlin, Robert S. Hegbury and Frank Danna.

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

Mr. Wheeler moved that the reading of the minutes of the January 7, 2015 session be waived and approved as published and distributed. The Motion was seconded by Mr. Smithson. The Chair ordered a roll call vote with the following results:

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

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

VIII. **COMMITTEE REPORTS:**

C. **Legislation and Rules Committee.** (Exhibit "C")

Brett Robinson offered a brief presentation as to the 2015 Legislative Session which began Monday, February 2<sup>nd</sup>, 2015.

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

After a brief discussion by Steve McCaleb and Rachel Moore, Mr. Wheeler moved that the Board accept the agreed order as presented. The Motion was seconded by Mr. Walton. The Chair ordered a roll call vote with the following results:

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

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

IV. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT AS TO COMPLAINT #13-030; IN THE MATTER OF RANDY C. JACKSON TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "E")

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

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

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

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

V. **DISCUSSION AND POSSIBLE ACTION REGARDING A HEARING PANEL RECOMMENDATION AS TO COMPLAINT #13-021; IN THE MATTER OF ELIZABETH A. FISCHER; TO INCLUDE AN APPLICATION FOR ORAL ARGUMENT AND ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "F")

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

After a brief discussion by Daniel Gamino and Steve McCaleb, Mr. Wheeler moved that the Board go into executive session. 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. Wheeler	Yes
	Mr. Walton	Recused
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

After coming out of executive session, the Chair ordered a roll call with the following results:

ROLL CALL:	Mr. Artman	Yes
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Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Walton	Recused
Ms. Pruitt	Yes
Mr. Smithson	Yes
Mr. Caesar	Yes
Com. Doak	Yes

Mr. Wheeler moved that the Board modify the Hearing Panel Recommendation. The Motion was seconded by Ms. Pruitt. The Chair ordered a roll call vote with the following results:

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

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

At the request of Daniel Gamino for a 30 day stay of the Board's decision in order to confer with his client, Mr. Wheeler moved for a 30 day stay of the Board's decision. The Motion was seconded by Ms. Pruitt. The Chair ordered a roll call vote with the following results:

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

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

**VI. DISCUSSION AND POSSIBLE ACTION REGARDING THE BOARD'S DENIAL OF AN APPLICATION FOR REGISTRATION OF APPRAISAL LOGISTICS AS AN OKLAHOMA APPROVED APPRAISAL MANAGEMENT COMPANY AND A REQUEST FOR OPPORTUNITY TO ADDRESS THE BOARD AS TO RECONSIDERATION OF ITS DECISION. (Exhibit "G")**

Following a brief discussion by Mr. Hegburg and Mr. Danna regarding their application's deficiencies, Ms. Cagle moved that the Board go into executive session. The Motion was seconded by Mr. Walton. The Chair ordered a roll call vote with the following results:

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

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

After coming out of executive session, the Chair ordered a roll call with the following results:

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

Com. Doak Yes

Mr. Wheeler moved that the Board approve the application of the Appraisal Management Company listed in agenda item VI. The Motion was seconded by Mr. Artman. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	No
	Mr. Smithson	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND ONE OPPOSED. THE MOTION WAS AGREED TO.

VII. **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, 2014.** (Exhibit "H")

Mr. Wheeler made a Motion and it was seconded by Ms. Cagle to issue an order to suspend the individuals listed in Agenda Item VII, 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. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

B. **Discussion and possible action regarding approval of renewal applications due by March 31, 2015 and authority to issue certificates.** (Exhibit "I")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item VII, 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. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Yes

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

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

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

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

THE RESULT WAS SEVEN 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, 2015 and authority to issue certificates. (Exhibit "K")**

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

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

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

(B.) Mr. Wheeler made a Motion and it was seconded by Mr. Smithson to deny the renewal for the company listed in Agenda Item VII, Director's Report D., B. The Chair ordered a roll call vote with the following results:

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

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

**VIII. 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 "L")**

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

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

THE RESULT WAS SEVEN 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 "M")**

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

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

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

(B) Mr. Wheeler made a Motion and it was seconded by Mr. Artman to allow staff to be given authority to issue the applicant trainee appraiser credential to the individual listed in Agenda Item VIII B. 2 (B). The Chair ordered a roll call vote with the following results:

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

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

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

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

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

THE RESULT WAS SEVEN 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. No Action

**IX. DISCUSSION AND POSSIBLE ACTION AS TO ATTENDANCE BY BOARD MEMBERS AND BOARD STAFF AT THE SPRING CONFERENCE OF THE ASSOCIATION OF APPRAISER REGULATORY OFFICIALS BETWEEN MAY 1 AND MAY 3, 2015 IN NASHVILLE, TENNESSEE. No Action. (Exhibit "O")**

X. **DISCUSSION AND POSSIBLE ACTION AS TO ATTENDANCE BY BOARD STAFF AND/OR A BOARD PROSECUTOR AT INVESTIGATOR LEVEL III TRAINING SPONSORED BY THE APPRAISAL FOUNDATION BETWEEN SEPTEMBER 28 AND SEPTEMBER 30, 2015 IN RALEIGH, NORTH CAROLINA.** (Exhibit "P")

Mr. Wheeler made a Motion and it was seconded by Ms. Cagle to allow attendance by board staff and/or a board prosecutor of the Investigator Level III Training. The Chair ordered a roll call vote with the following results:

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

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

XI. **NEW BUSINESS.** No Action.

XII. **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 P.



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

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

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

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