

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

In the Matter of ANNEMIEKE E. ROELL)	
)	Complaint #13-004
Respondent.)	

BOARD ORDER MODIFYING BOARD ORDER 14-004 and 15-002

ON THE 12th day of March, 2015, the above numbered and entitled cause came on before the Oklahoma Real Estate Appraiser Board (the "Board") upon the written request of the Respondent, Annemieke E. Roell (the "Respondent"), in order to modify Board Order 14-004 and Order 15-002 to allow her an additional sixty (60) day extension to complete the remainder of her Board-Ordered corrective education.

Ms. Roell's attorney, Evan McCormack, appeared and advised the Board on her behalf. The Board's prosecutor voiced no objection to the request of the Respondent.

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, ANNEMIEKE E. ROELL, is a Certified Residential Appraiser in the State of Oklahoma, holding credential number 12775CRA and was first licensed with the Oklahoma Real Estate Appraiser Board on December 3, 2007.

ADOPTED FINDINGS OF FACT FROM BOARD ORDER #14-004

1. The Respondent, ANNEMIEKE E. ROELL, is a Certified Residential Appraiser in the State of Oklahoma, holding credential number 12775CRA and was first licensed with the Oklahoma Real Estate Appraiser Board on December 3, 2007.

2. In December of 2012, First Fidelity Bank, NA, Oklahoma City, Oklahoma (the "client"), through no AMC, hired Respondent (Exhibit 12 Respondent's engagement letter from the client) to complete an appraisal (the "appraisal") for real property (with no legal description included in the Exhibit 12 Respondent's engagement letter) located at 2383 West Skyview Lane, Cleveland, Pawnee County, Oklahoma (the "subject property").

3. The Respondent completed the appraisal and two amended appraisal reports and transmitted the appraisal and two amended appraisal reports to the client. The appraisal was for a purchase transaction.

4. The Respondent committed a series of errors in the appraisal report which led to a misleading appraisal report. These errors include, but are not limited to the following paragraphs 5-13.

5. Respondent completed one appraisal and two amended appraisal reports with no disclosure that the appraisal was amended twice. The appraisal had an effective date of January 16, 2013, and a signature date of January 29, 2013; the first amended appraisal report had an effective date of January 16, 2013, and a signature date of January 31, 2013; and the second amended appraisal report had an effective date of January 16, 2013, and a signature date of February 19, 2013.

6. In the appraisal (signature date January 29, 2013), Respondent reports that the subject property's site size is 35,719 square feet. For her Sale number 1, Respondent reports that its lot size is 1.04 acres with a negative adjustment of \$5,000. For her Sale number 2, Respondent reports that

its lot size is 34,829 square feet with a positive adjustment of \$5,000. For her Sale number 3, Respondent reports that its lot size is 19,602 square feet with a positive adjustment of \$1,000.

7. In the appraisal (signature date January 29, 2013), the Respondent utilized only one lot, the street address of which was 2383 West Skyview Lane, Cleveland, Oklahoma, and which lot was legally described as Lot 65, Block 5, Keystone West Lake Estates Unit 1, Pawnee County, Oklahoma.

8. In the January 31, 2013, and the February 19, 2013 amended reports, the Respondent amended the appraisal based upon the Contract of Sale of Real Estate (Exhibit 6) to include two (2) additional lots (Lots 64 and 66, Block 5, Keystone West Lake Estates Unit 1, Pawnee, County, Oklahoma), with the one lot subject property (Lot 65, Block 5, Keystone West Lake Estates Unit 1, Pawnee, County, Oklahoma), for a total of three (3) lots. The street addresses of these two (2) additional lots are listed as 2377 West Skyview Lane (Lot 64, Block 5, Keystone West Lake Estates Unit 1, Pawnee, County, Oklahoma), Cleveland, Oklahoma, and 2409 West Skyview Lane (Lot 66, Block 5, Keystone West Lake Estates Unit 1, Pawnee, County, Oklahoma), Cleveland, Oklahoma, respectively. Amending the appraisal based upon the Contract of Sale of Real Estate (Exhibit 6) to include two (2) additional lots, resulted in the site size increasing to 2.51 acres. Despite the increase in site size, Respondent's adjustments did not change in the January 31, 2013, and the February 19, 2013, amended appraisal reports. With the increase in site size, there should have been an explanation as to why no change in the adjustment was made due to the change in the site size.

9. Additionally, in the cost approach, the Respondent did not modify the information for the site value in the two amended appraisal reports or provide an explanation. The Respondent reported the opinion of site value as \$30,000 in the appraisal and in the two amended appraisal reports despite the increase in site size in the two amended appraisal reports for which no explanation was made.

10. Regarding Respondent's other adjustments, under the condition section, the Respondent listed the condition of the subject property as C2. Respondent also listed the condition of her three Sales as C2, and did in fact make adjustments to all three (3) of the Sales based upon condition without providing an adequate explanation.

11. The Sales Gross Living Area (GLA) adjustments are not calculated in a recognized method and technique.

12. The subject property has an actual age of forty-two (42) years. The Respondent, without an adequate explanation, reports that the effective age of the subject property is five (5) years, but then reports that there have been no updates to the subject property within the last fifteen (15) years. The Respondent failed to explain how the effective age of the subject property was estimated.

13. The Respondent produced an appraisal and two amended appraisal reports that were misleading.

ADOPTED CONCLUSIONS OF LAW FROM BOARD ORDER 14-004

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 Competency Rule of the Uniform Standards of Professional Appraisal Practice (USPAP);

B) Standard 1, Standards Rules 1-1, 1-2, 1-3, 1-4, 1-5 and 1-6; Standard 2, Standards Rules 2-1, and 2-2 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)(7): "Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal."

3. 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."

4. 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."

MODIFIED ORDER

WHEREFORE, Board Order 14-004 mailed March 11, 2014 (the "First Board Order"), and Board Order 15-002 mailed on January 13, 2015 (the "Second Board Order") are hereby modified as follows:

1. The Respondent Annemieke E. Roell, shall have a period of fourteen (14) months from the date of mailing of the First Board Order, to successfully complete corrective education as follows:

- The **FIFTEEN (15) HOUR** Course Number 600: National USPAP Course;
- The **THIRTY (30) HOUR** Course Number 613: Residential Sales Comparison & Income Approach;
- The **FIFTEEN (15) HOUR** Course Number 614: Residential Report Writing & Case Studies.

The course(s) must all be completed with copies of certificates of course completion transmitted to the administrative office of the Board within fourteen (14) months from the date mailing of the First Board Order. The course(s) must be tested and may be taken online should the Respondent choose to do so. The course(s) shall not be counted toward continuing education credit by the Respondent. The Course completion certificates are now due in the administrative office of the Board not later than May 11, 2015.

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

IT IS SO ORDERED this 12th day of March, 2015.



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

By: 
ERIC SCHOEN, Board Secretary

CERTIFICATE OF MAILING

I, Ashley Snider, hereby certify that on the 16th day of March, 2015 a true and correct copy of the above and foregoing Board Order was placed in the U.S. Mail, with postage pre-paid, by certified mail, return receipt requested to:

Annemieke E. Roell
P.O. Box 83
Terlton, OK 74081

7013 2250 0000 5046 3947

Robert F. Morgan, Jr.
WHEELER, MORGAN & BROWN
1900 N.W. Expressway, Suite 450
Oklahoma City, OK 73118

7013 2250 0000 5046 4029

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

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