



the required information was received electronically.

3. In its Renewal Application, Real Shield identified a 2017 disciplinary proceeding from the State of Mississippi regarding the removal of an appraiser from an appraisal assignment in violation of Mississippi's Rules and Regulations. Real Shield states it did not contest the complaint due to costs involved in fighting the allegations. Real Shield states it negotiated a financial settlement and to allow its license to be held in abeyance for 30 days beginning on February 7, 2017.

4. A review of the Agreed Order shows that Real Shield was actually suspended for a period of 30 days, which the State of Mississippi agreed to hold in abeyance.

5. In violation of the Oklahoma Appraisal Management Company Registration Act, Real Shield failed to notify the Board in writing of the Mississippi March 8, 2017 Agreed Order which Tatro signed on February 7, 2017.

#### **CONCLUSIONS OF LAW**

1. That Respondent has violated 59 O.S. § 858-810(B)(5): in that it failed to "Notify the Oklahoma Real Estate Appraiser Board of any discipline imposed by any other jurisdiction, whether state or federal, including but not limited to consent agreements or orders...as to the Appraisal Management Company or any of its individual controlling officers in their capacity as an appraiser."

2. That Respondent has violated 59 O.S. § 858-810(B)(5)(a): "Discipline imposed by another jurisdiction shall be reported in writing within ten (10) calendar days of the certificate holder's receipt of the final order or notice of the discipline imposed, and failure to report shall itself be grounds for discipline."

### CONSENT AGREEMENT

The Respondent, by affixing its signature hereto, acknowledges:

1. That Respondent has been advised to seek the advice of counsel prior to signing this document.
2. That Respondent possesses the following rights among others:
  - a. the right to a formal fact finding hearing;
  - b. the right to a reasonable notice of said hearing;
  - c. the right to be represented by counsel;
  - d. the right to compel the testimony of witnesses;
  - e. the right to cross-examine witnesses against him; and
  - f. the right to obtain judicial review of the final decision of the Board.
3. The Respondent stipulates to the facts as set forth above and specifically waives its right to contest these findings in any subsequent proceedings before the Board and to appeal this matter to the District Court.
4. The Respondent consents to the entry of this Order affecting its professional practice of appraisal management in the State of Oklahoma.
5. All other original allegations in this matter are dismissed.
6. Respondent acknowledges this will be placed on the Board's agenda for its next monthly meeting after receipt of the executed Order from Respondent, and notice for the Order's placement on that agenda is accepted.<sup>1</sup>

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<sup>1</sup> Currently the 2018 Board meetings are scheduled for 9:30 a.m. for: March 7, April 4, May 2, June 6, July 11,

**CONSENT ORDER TO BE ACCEPTED OR REJECTED BY THE BOARD**

The Oklahoma Real Estate Appraiser Board will not submit this Consent Order for the Board's consideration until its agreement and execution by the Respondent(s). It is hereby agreed between the parties that this Consent Order shall be presented to the Board with recommendation for approval of the Board at the next scheduled meeting of the Board. The Respondent understands that the Board is free to accept or reject this Consent Order and, if rejected by the Board, a formal hearing on the complaint may be held. If the Board does not accept the Consent Order, it shall be regarded as null and void. Admissions by Respondent in the rejected Consent Order will not be regarded as evidence against it at the subsequent disciplinary hearing. Respondent will be free to defend itself and no inferences will be made from its willingness to have entered this agreement. It is agreed that neither the presentation of the Consent Order nor the Board's consideration of the Consent Order will be deemed to have unfairly or illegally prejudiced the Board or its individual members and therefore will not be grounds for precluding the Board or any individual Board member from further participation in proceedings related to the matters set forth in the Consent Order.

• **THIS CONSENT ORDER IS NOT EFFECTIVE UNTIL ITS APPROVAL**

August 1, September 5, October 3, November 7, December 5.

**BY A MAJORITY OF THE BOARD AND THE APPROVED ORDER RECEIVES A SUBSEQUENT ENDORSEMENT (“SIGNATURE”) BY A REPRESENTATIVE OF THE BOARD. THE EXECUTED ORDER IS THEN SUBJECT TO A WRITTEN ANALYSIS BY THE BY THE OKLAHOMA ATTORNEY GENERAL’S OFFICE.**

**ORDER**

WHEREFORE, on the basis of the foregoing Agreed Findings of Fact and Agreed Conclusions of Law, it is ordered that:

1. Respondent agrees that it will receive a letter of warning in this matter;
2. An administrative fine in the amount of One Thousand Dollars (\$1,000), to be paid in accordance with 59 O.S. §858-723(B)(2), to be paid within thirty days after this order is approved, should approval occur, by the Oklahoma Attorney General’s Office.
3. Failure to comply with the preceding paragraphs in a timely manner will result in an instant suspension of Respondent’s license. For good cause, an extension may be granted by the Board. An application for an Extension of Time should be filed in sufficient time to be placed on a Board meeting agenda in advance of the deadline.

**DISCLOSURE**

Pursuant to the Oklahoma Open Records Act, 51 O.S. §§24-A.1 – 24A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection and copying upon request.

RESPONDENT:



REAL SHIELD, LLC

3/6/2018

DATE

*Denise Lawson* (Denise Lawson  
Cara N. Rodriguez, Counsel for <sup>for</sup> cara Rodriguez)  
REAL SHIELD, LLC

3/7/2018

DATE

**CERTIFICATE OF BOARD PROSECUTING ATTORNEY**

I believe this Consent Order to be in the best interests of the Oklahoma Real Estate Appraiser Board, the State of Oklahoma and the Respondent with regard to the violations alleged in the formal Complaint.



STEPHEN MCCALED, OBA #15649  
Board Prosecutor  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma 73112

3-7-18

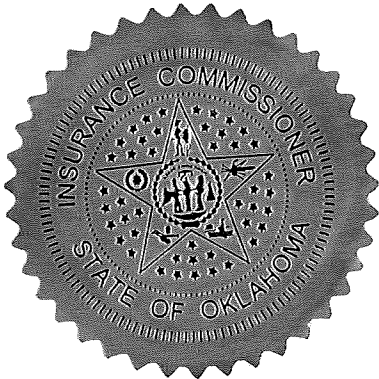
DATE

IT IS SO ORDERED on this 7<sup>th</sup> day of March, 2018.




ERIC SCHOEN, Board Secretary  
Oklahoma Real Estate Appraiser Board





**OKLAHOMA REAL ESTATE  
APPRAISER BOARD**

By:   
\_\_\_\_\_

**BRYAN NEAL, OBA #6590**

Assistant Attorney General

Attorney for the Board

313 NE 21<sup>st</sup> Street

Oklahoma City, Oklahoma 73105

**CERTIFICATE OF MAILING**

I, Christine McEntire, hereby certify that on the 21<sup>st</sup> day of March, 2018 a true and correct copy of the above and foregoing Consent Order was placed in the U.S. Mail, with postage pre-paid, by certified mail, return receipt requested to:

**Cara N. Rodriguez**

**7016 0340 0000 7986 5222**

**Denise Lawson**

GLENN COFFEE & ASSOCIATES

P.O. Box 437

Oklahoma City, OK 73101

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

**Bryan Neal, Assistant Attorney General**

OFFICE OF THE ATTORNEY GENERAL

313 N.E. 21<sup>st</sup> Street

Oklahoma City, OK 73105



Christine McEntire



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

RECEIVED  
OKLAHOMA INSURANCE DEPT  
MAR 20 2018

Real Estate Appraiser Board

ATTORNEY GENERAL OPINION  
2018-92A

Christine McEntire, Director  
Oklahoma Real Estate Appraiser Board  
3625 NW 56th St., Ste. 100  
Oklahoma City, OK 73112

March 20, 2018

Dear Director McEntire:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Real Estate Appraiser Board intends to take with respect to licensee 60055AMC in complaint A17-017. The licensee's renewal application correctly stated that the licensee had received discipline in another jurisdiction, but falsely represented the actual sanction the licensee received. The Board proposes to issue a letter of warning and require the licensee to pay a \$1,000 fine.

The Oklahoma Certified Real Estate Appraisers Act authorizes the Board "[t]o censure, suspend and revoke certificates pursuant to the disciplinary proceedings provided in [the Act,]" *see* 59 O.S.Supp.2017, § 858-706(7), and to require payment of fines and costs. *Id.* § 858-723(A)(8)-(9). The Board may discipline licensees who "[p]rocur[e] or attempt[] to procure a certificate . . . by knowingly making a false statement . . . in an application for certification or through any form of fraud or misrepresentation." *Id.* § 858-723(C)(1). The Board may reasonably believe that the proposed action is necessary to prevent future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Real Estate Appraiser Board has adequate support for the conclusion that this action advances the State's policy to uphold standards of competency and professionalism among real estate appraisers.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL