



STATE OF OKLAHOMA  
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

March 2, 2016  
Date

284  
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 March 2, 2016 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 29, 2016 at 9:00 a.m., and transmitted to the offices of the Board members on February 25, 2016 and posted to the REAB website on February 29, 2016. The agenda is attached as Exhibit "A".

- I. **CALL TO ORDER.** Stephen C. Walton 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;  
Stephen C. Walton;  
James R. Artman;  
Betty J. Cagle;  
Lee R. Caesar Jr.;  
Shelley Pruitt;  
John Smithson

Board members excused were: H.E. Ted Smith

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; Dan Byrd, OID Counsel; Eric Schoen, Board Secretary and Sherry Ainsworth, Legal Secretary. Others present were: Steve McCaleb, Brett Robinson, Joe Garnand, and Jenny Smithson.

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

Mr. Caesar moved that the reading of the minutes of the February 3, 2016 session be waived and approved as published and distributed. 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. Smith    | Excused |
|                 | Mr. Walton   | Yes     |
|                 | Ms. Pruitt   | Yes     |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

H.E. Ted Smith entered the meeting.

- VI. **CHAIRPERSON'S REPORT.** The Chairperson offered no report.

John D. Doak exited the meeting.

- VII. **COMMITTEE REPORTS.**

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

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

III. **DISCUSSION AND POSSIBLE ACTION REGARDING A DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF WILLIAM T. MCGARRY AND WILLIAM S. MCGARRY; COMPLAINT #14-038 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "C")

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

Following 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 | Yes     |
|                 | Mr. Caesar   | Yes     |

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

Mr. Caesar made a Motion and it was seconded by Ms. Cagle to go into executive session. 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 | Yes     |
|                 | Mr. Caesar   | Yes     |

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, ONE RECUSED 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: | Commissioner Doak | Excused |
|            | Mr. Artman        | Present |
|            | Ms. Cagle         | Present |
|            | Mr. Smith         | Present |
|            | Mr. Walton        | Recused |
|            | Ms. Pruitt        | Present |
|            | Mr. Smithson      | Present |
|            | Mr. Caesar        | Present |

Mr. Caesar moved to accept the Disciplinary Hearing Panel Recommendation with modifications to the recommended discipline on pages 24 and 25. 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    | Abstained |
|                 | Mr. Smith    | Yes       |
|                 | Mr. Walton   | Recused   |
|                 | Ms. Pruitt   | Yes       |
|                 | Mr. Smithson | Yes       |
|                 | Mr. Caesar   | Yes       |

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, ONE RECUSED, ONE

ABSTAINED AND NONE OPPOSED. THE MOTION WAS AGREED TO.

V. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT IN THE MATTER OF PATSY J. SPRAY; COMPLAINT #15-008 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "D")

Ms. Pruitt moved to adopt the consent order listed under Agenda Item V. as presented. 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   | Recused |
|                 | Ms. Pruitt   | Yes     |
|                 | Mr. Smithson | Recused |
|                 | Mr. Caesar   | Yes     |

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

Ms. Pruitt exited the meeting.

IV. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT IN THE MATTER OF MICHAEL D. FLESHER; COMPLAINT #15-017 AND COMPLAINT #15-018 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "E")

Mr. Smith moved to adopt the consent order listed under Agenda Item IV as presented. 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   | Recused |
|                 | Ms. Pruitt   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

VI. **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 December 31, 2015.** (Exhibit "F")

Mr. Smith made a Motion and it was seconded by Ms. Cagle to suspend individuals for nonpayment of annual fees listed in Agenda Item VI., 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   | Yes     |
|                 | Ms. Pruitt   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

B. **Discussion and possible action regarding approval of renewal applications due by April 30, 2016 and authority to issue certificates.** (Exhibit "G")

Mr. Caesar 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 VI, 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   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, ONE EXCUSED 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 "H")**

Mr. Artman made a Motion and it was seconded by Mr. Smith to approve Board staff to issue a certificate of registration to the company listed in Agenda Item VI, 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   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

**D. Discussion and possible action regarding approval of AMC renewal applications due by April 30, 2016 and authority to issue certificates. (Exhibit "I")**

Mr. Artman made a Motion and it was seconded by Ms. Cagle to issue renewal certificates to the companies listed in Agenda Item VI, 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   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

**VII. 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 "J")**

Mr. Caesar made a Motion and it was seconded by Mr. Smith to approve the recommendation as presented in Agenda Item VII. 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   | Excused |
| Mr. Smithson | Yes     |
| Mr. Caesar   | Yes     |

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, ONE EXCUSED 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 "K")**

(A) Mr. Caesar 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 VII. 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   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

(B) Mr. Artman made a Motion and it was seconded by Mr. Smith to allow staff to be given authority to issue a trainee appraiser credential to the individual listed in Agenda Item VII. 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   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, ONE EXCUSED 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 "L")**

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

Following discussion of Grievance #15-054, Mr. Caesar made a Motion and it was seconded by Ms. Cagle 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   | Recused |
|                 | Ms. Cagle    | Yes     |
|                 | Mr. Smith    | Yes     |
|                 | Mr. Walton   | Yes     |
|                 | Ms. Pruitt   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

Following discussion of Grievance #15-055, Ms. Cagle 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   | Recused |
|                 | Ms. Cagle    | Yes     |
|                 | Mr. Smith    | Yes     |
|                 | Mr. Walton   | Yes     |
|                 | Ms. Pruitt   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

Following discussion of Grievance #15-056, Mr. Smithson made a Motion and it was seconded by Ms. Cagle 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   | Recused |
|                 | Ms. Cagle    | Yes     |
|                 | Mr. Smith    | Yes     |
|                 | Mr. Walton   | Yes     |
|                 | Ms. Pruitt   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

Following discussion of Grievances #16-001, 16-002, 16-003 and 16-006, Mr. Smith made a Motion and it was seconded by Mr. Caesar that each of the four matters be forwarded to prosecution for further action. The Chair ordered a roll call vote with the following results:

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

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

Following discussion of Grievance #16-004, Mr. Caesar made a Motion and it was seconded by Mr. Smith 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   | Recused |
|                 | Ms. Cagle    | Yes     |
|                 | Mr. Smith    | Yes     |
|                 | Mr. Walton   | Yes     |
|                 | Ms. Pruitt   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

Following discussion of Grievance #16-005, 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   | Recused |
|                 | Ms. Cagle    | Yes     |
|                 | Mr. Smith    | Yes     |
|                 | Mr. Walton   | Yes     |
|                 | Ms. Pruitt   | Excused |
|                 | Mr. Smithson | Yes     |
|                 | Mr. Caesar   | Yes     |

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

VIII. **NEW BUSINESS.** No action.

IX. **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 L.



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