



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

April 2, 2014
Date

261
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a regular meeting on April 2, 2014 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 Tuesday, April 1, 2014 at 9:30 a.m., and transmitted to the offices of the Board members on March 26, 2014 and posted to the REAB website on April 1, 2014. 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: Lee R. Caesar, Jr.;
James R. Artman;
Betty J. Cagle;
P. Lane Wheeler;
Stephen C. Walton; and
Shelley Pruitt
John P. Smithson

Board members excused were: John D. Doak, Chairperson

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, Counsel for Commissioner John D. Doak, and Eric Schoen, Board Secretary. Others present were: Joe Garnand and Richie Howells.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit "B") Mr. Wheeler moved that the reading of the minutes of the March 5, 2014 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. 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.

READING AND APPROVAL OF SPECIAL MINUTES. (Exhibit "C") Mr. Wheeler moved that the reading of the special minutes of the March 20, 2014 session be waived and approved as published and distributed. 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

III. **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 January 31, 2014. (Exhibit "D")

Mr. Wheeler made a Motion and it was seconded by Ms. Pruitt to issue an order to suspend the individual listed in Agenda Item III, 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 May 31, 2014 and authority to issue certificates. (Exhibit "E")

Mr. Wheeler made a Motion and it was seconded by Ms. Pruitt to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item III, 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 "F")

Mr. Wheeler made a Motion and it was seconded by Ms. Pruitt to approve Board staff to issue a Certificate of Registration to the AMC listed in Agenda Item III, 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. Wheeler	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Mr. Caesar	Yes

D. Discussion and possible action regarding approval of AMC renewal applications due by May 31, 2014 and authority to issue certificates. (Exhibit "G")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to issue renewal certificates to the companies listed in Agenda Item VII, 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. 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. 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")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to approve the recommendation as presented in Agenda Item IV. 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 various applications received and authority to issue certificates. (Exhibit "I")

(A) Mr. Wheeler made a Motion and it was seconded by Mr. Walton to allow staff to be given authority to issue reciprocal licenses to the individuals listed in Agenda Item IV. 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 Ms. Pruitt to allow staff to be given authority to deny the reciprocal license to the individual listed in Agenda Item IV. 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.

(C) Mr. Wheeler made a Motion and it was seconded by Ms. Pruitt to allow staff to be given authority to issue the trainee licenses to the individuals listed in Agenda Item IV. B. 2 (C). 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. **Legislation and Rules Committee.** No action.

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

Grievance #A13-006: Following discussion of Grievance #A13-006, A Motion was made by Mr. Wheeler that finding no merit to the CRA's complaints, the matter be dismissed, the file closed and no further action be taken. Ms. Cagle seconded the Motion. 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 AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance #13-028: Following discussion of Grievance #13-028, A Motion was made by Mr. Wheeler that a non-disciplinary letter of concern be issued, the matter be dismissed, the file closed and no further action be taken. Mr. Caesar seconded the Motion. 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 AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance #13-029: Following discussion of Grievance #13-029, A Motion was made by Mr. Wheeler that the grievance be dismissed, the file closed and no further action be taken.

Mr. Artman seconded the Motion. 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 AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance #13-030: Following discussion of Grievance #13-030, A Motion was made by Mr. Wheeler that there is probable cause to believe that violations of USPAP have occurred and recommends that the matter be forwarded to prosecution for further handling. Mr. Artman seconded the Motion. 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 AND NONE OPPOSED. THE MOTION WAS AGREED TO.

Grievance #14-001: Following discussion of Grievance #14-001, A Motion was made by Mr. Wheeler that there is probable cause to believe that violations of USPAP have occurred and recommends that the matter be forwarded to prosecution for further handling. Ms. Pruitt seconded the Motion. 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 AND NONE OPPOSED. THE MOTION WAS AGREED TO.

V. **DISCUSSION AND POSSIBLE ACTION REGARDING SUBMISSION OF AN OFFICIAL RESPONSE ON BEHALF OF THE BOARD TO A REQUEST FOR WRITTEN COMMENTS TO THE FEBRUARY 26, 2014 EXPOSURE DRAFT RELEASED BY THE APPRAISAL FOUNDATION AS RELATED TO THE JANUARY 1, 2015 REAL PROPERTY APPRAISER QUALIFICATION CRITERIA CHANGES TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "K")

Ms. Pruitt made a Motion and it was seconded by Mr. Wheeler to adopt the draft correspondence presented to the Exposure Draft released by the Appraisal Foundation listed in Agenda Item V. 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.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING EXERCISING THE FOURTH OF FOUR OPTIONS TO RENEW A CONTRACT FOR TESTING SERVICES WITH PSYCHOLOGICAL SERVICES INC., FOR FISCAL YEAR 2015 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "L")

Mr. Walton made a Motion and it was seconded by Mr. Artman to renew the Fiscal Year 2015 contract with Psychological Services Inc. listed in Agenda Item VI. 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.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING EXERCISING THE THIRD OF FOUR OPTIONS TO RENEW A CONTRACT FOR LOBBYING SERVICES WITH CAPITAL CITY ASSOCIATES FOR FISCAL YEAR 2015 TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "M")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to renew the Fiscal Year 2015 contract with Capital City Associates listed in Agenda Item VII. 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. DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2015 WITH THE OKLAHOMA ATTORNEY GENERAL'S OFFICE WITH RESPECT TO THE SERVICES OF BOARD COUNSEL TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "N")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to renew the Fiscal Year 2015 Contract with the Oklahoma Attorney General's Office regarding Board Counsel listed in Agenda Item VIII. 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.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2015 WITH THE OKLAHOMA ATTORNEY GENERAL'S OFFICE WITH RESPECT TO THE SERVICES OF A HEARING EXAMINER TO INCLUDE

ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "O")

Mr. Wheeler made a Motion and it was seconded by Ms. Pruitt to renew the Fiscal Year 2015 Contract with the Oklahoma Attorney General's Office regarding a Hearing Examiner listed in Agenda Item IX. 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.

X. DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2015 WITH MARY SUE WYCOFF TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "P")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to renew the Fiscal Year 2015 with Mary Sue Wycoff listed in Agenda Item X. 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. DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2015 WITH DERRYBERRY & NAIFEH TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "Q")

Mr. Wheeler made a Motion and it was seconded by Mr. Walton to renew the Fiscal Year 2015 with Derryberry & Naifeh listed in Agenda Item V. 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.

XII. NEW BUSINESS. No Action.

XIII. 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 Q.



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



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