



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

August 9, 2018
Date

313
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 August 9th, 2018 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, August 7, 2018 at 9:30 a.m., and transmitted to the offices of the Board members on August 2, 2018 and posted to the REAB website on August 7, 2018. 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: Stephen C. Walton;
Lee R. Caesar, Jr.;
Betty J. Cagle;
Becky Zarecki;
Shelley Pruitt;
Patty Broome

Board members excused were: John D. Doak & 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; and Sara Worten, OID Counsel. Others present were: Steve McCaleb, Rod Bien, Ron Flowers, Crystal Flowers, Lauryn Boswell, Adrian Bevrige, and Kent Carter.

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

Ms. Cagle moved that the reading of the minutes of the July 11, 2018 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. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

- III. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT IN THE MATTER OF FLOYD D. SMITH; COMPLAINT #17-042; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "C")

Ms. Cagle made a Motion and it was seconded by Ms. Pruitt to accept the consent agreement listed in Agenda Item III. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |

| | |
|-------------|-----|
| Mr. Walton | Yes |
| Ms. Pruitt | Yes |
| Ms. Broome | Yes |
| Ms. Zarecki | Yes |

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

IV. **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 May 31, 2018. (Exhibit "D")

Mr. Caesar made a Motion and it was seconded by Ms. Pruitt to approve Board staff to suspend the individual listed in Agenda Item IV., Director's Report A. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

B. Discussion and possible action regarding approval of renewal applications due by September 30, 2018 and authority to issue certificates. (Exhibit "E")

Ms. Broome made a Motion and it was seconded by Ms. Zarecki to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item IV., Director's Report B. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | 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 "F")

Ms. Zarecki made a Motion and it was seconded by Ms. Broome to approve Board staff to issue original certificates to the companies listed in Agenda Item IV., Director's Report C. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | 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 September 30, 2018 and authority to issue certificates. (Exhibit "G")

Mr. Caesar made a Motion and it was seconded by Ms. Zarecki to issue a renewal certificate to the company listed in Agenda Item IV., Director's Report D. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

V. 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")

(A, 1.a.-4.a.) Ms. Zarecki made a Motion and it was seconded by Ms. Broome to approve the recommendation as presented in Agenda Item V. B. 1. A. 1.a.-4.a. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

(A, 5.a.) Mr. Caesar made a Motion and it was seconded by Ms. Cagle to approve the recommendation as presented in Agenda Item V. B. 1. A. 5.a. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | 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 "I")

(A) Mr. Caesar 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 V. B. 2. (A). The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|------------|-----|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
|-----------------|------------|-----|

| | |
|-------------|---------|
| Ms. Cagle | Yes |
| Mr. Smith | Excused |
| Mr. Walton | Yes |
| Ms. Pruitt | Yes |
| Ms. Broome | Yes |
| Ms. Zarecki | Yes |

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

(B.) a. Mr. Caesar made a Motion and it was seconded by Ms. Broome to allow staff to be given authority to deny the reciprocal application to the individual listed in Agenda Item V. B. 2. (B.) a. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

(B.) b. Mr. Caesar made a Motion and it was seconded by Ms. Broome to allow staff to be given authority to deny the reciprocal application to the individual listed in Agenda Item V. B. 2. (B.) b. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

(C) Ms. Broome made a Motion and it was seconded by Ms. Zarecki to allow staff to be given authority to issue an original certificate to the individual listed in Agenda Item V. B. 2. (C). The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

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

(A) Mr. Caesar made a Motion and it was seconded by Ms. Pruitt to allow staff to be given authority to issue an upgrade certificate to the individuals listed in Agenda Item V. B. 3. (A). The Chair ordered a roll call vote with the following results:

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

| | |
|-------------|-----|
| Ms. Broome | Yes |
| Ms. Zarecki | Yes |

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

C. Legislation & Rules Committee. No report.

D. Probable Cause Committee.

1. **Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee.** No report.

2. **Discussion and possible action regarding standard operating procedures for the Probable Cause Committee.** No report.

3. **Discussion and possible action regarding Probable Cause Committee disciplinary recommendations.** (Exhibit "K")

Following discussion of Grievance #18-009, Ms. Cagle made a Motion and it was seconded by Ms. Pruitt that the matter be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

Following discussion of Grievance #18-011, Ms. Cagle made a Motion and it was seconded by Ms. Pruitt that a Letter of Warning be issued, the file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

Following discussion of Grievance #18-013, Ms. Cagle made a Motion and it was seconded by Ms. Broome that the matter be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

Following discussion of Grievance #18-014, Ms. Pruitt made a Motion and it was seconded by Ms. Zarecki that 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. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

Following discussion of Grievance #18-015, Ms. Cagle made a Motion and it was seconded by Ms. Pruitt that 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. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

Following discussion of Grievance #18-016, Ms. Pruitt made a Motion and it was seconded by Ms. Broome that 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. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

Following discussion of Grievance #A18-017, Ms. Pruitt made a Motion and it was seconded by Ms. Broome that 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. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

Following discussion of Grievance #A18-018, Ms. Pruitt made a Motion and it was seconded by Ms. Cagle that a Non-Disciplinary Letter of Concern be issued, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

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

Ms. Zarecki Yes

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

VI. **DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED BOARD MEETING DATES FOR CALENDAR YEAR 2019.** No exhibit.

The Board discussed Agenda Item VI. and tabled until the September 5, 2018 Board meeting. No action.

VII. **DISCUSSION AND POSSIBLE ACTION REGARDING ATTENDANCE AT THE FALL CONFERENCE OF THE ASSOCIATION OF APPRAISER REGULATORY OFFICIALS TO BE HELD IN WASHINGTON, D.C. BETWEEN OCTOBER 19, 2018 AND OCTOBER 22, 2018.** No exhibit.

Mr. Caesar made a Motion and it was seconded by Ms. Zarecki to approve up to four Board members and two staff members to attend the conference listed in Agenda Item VII. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

VIII. **DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SIX-MONTH EXTENSION OF THE APPRAISER EXAMINER CONTRACT WHICH TERMINATES ON DECEMBER 31, 2018.** (Exhibit "L")

Ms. Cagle made a Motion and it was seconded by Ms. Zarecki to accept the request listed in Agenda Item VIII. The Chair ordered a roll call vote with the following results:

| | | |
|-----------------|-------------|---------|
| ROLL CALL VOTE: | Mr. Caesar | Yes |
| | Ms. Cagle | Yes |
| | Mr. Smith | Excused |
| | Mr. Walton | Yes |
| | Ms. Pruitt | Yes |
| | Ms. Broome | Yes |
| | Ms. Zarecki | Yes |

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

IX. **DISCUSSION AND POSSIBLE ACTION REGARDING THE OKLAHOMA APPRAISAL MANAGEMENT COMPANY REGULATION ACT, INCLUDING BOARD RULES, POST DODD-FRANK ACT AMENDMENTS TO FINANCIAL INSTITUTIONS REFORM, RECOVER, AND ENFORCEMENT ACT OF 1989 ("FIRREA"), AND WHETHER OR NOT TO SEEK LEGISLATIVE REPEAL OF THE OKLAHOMA APPRAISAL MANAGEMENT COMPANY REGULATION ACT, 59 O.S. 858-801 TO 858-829, IN ORDER TO "OPT OUT" OF THE REGISTRATION AND SUPERVISION OF THE APPRAISAL MANAGEMENT COMPANIES AND DISCUSSION OF COMMENTS RECEIVED PURSUANT TO A REQUEST FOR WRITTEN COMMENT.** No exhibit.

The Board discussed Agenda Item IX. and tabled until the September 5, 2018 Board meeting. No action.

IX. **NEW BUSINESS.**

X. **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.





STEPHEN C. WALTON, VICE-CHAIRPERSON
OKLAHOMA REAL ESTATE APPRAISER BOARD



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