



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

October 5, 2016
Date

291
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 October 5, 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, October 3, 2016 at 9:30 a.m., and transmitted to the offices of the Board members on September 28, 2016 and posted to the REAB website on October 3, 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: Stephen C. Walton;
James R. Artman;
Betty J. Cagle;
Becky Zarecki;
Shelley Pruitt;
John Smithson

Board members excused were: John D. Doak and 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; Barron Brown, OID Counsel; Eric Schoen, Board Secretary and Sherry Ainsworth, Legal Secretary. Others present were: Steve McCaleb, Ron Flowers, Crystal Flowers and Tyler Laughlin.

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

Ms. Pruitt moved that the reading of the minutes of the September 7, 2016 session be waived and approved as published and distributed. 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	Yes

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

Ms. Pruitt moved that the reading of the amended minutes of the May 4, 2016 session be waived and approved as published and distributed. The Motion was seconded by Ms. Zarecki. 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
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 SURRENDER IN LIEU OF DISCIPLINARY PROCEEDINGS IN THE MATTER OF JASON W. WILLIAMS; COMPLAINT #15-046; #16-001; #16-002; #16-003; #16-006; #16-010 AND #16-011; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "C")

After a brief discussion by Steve McCaleb, Ms. Cagle moved to accept the Surrender in Lieu of Disciplinary Proceedings as listed in Agenda Item III. The Motion was seconded by Mr. Smithson. The Chair ordered a roll call vote with the following results:

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

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

IV. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT IN THE MATTER OF SAMUEL R. FANNIN, COMPLAINT #15-051; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "D")

After a brief discussion by Steve McCaleb, Ms. Cagle moved to accept the Consent Agreement as listed in Agenda Item IV. The Motion was seconded by Mr. Smithson. The Chair ordered a roll call vote with the following results:

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

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

V. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT AGREEMENT IN THE MATTER OF RACHEL SUROVEY, COMPLAINT #15-050; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "E")

After a brief discussion by Steve McCaleb, Ms. Pruitt moved to accept the Consent Agreement as listed in Agenda Item V. The Motion was seconded by Ms. Cagle. The Chair ordered a roll call vote with the following results:

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

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

VI. **DISCUSSION AND POSSIBLE ACTION REGARDING A DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF ROBERT L. LOCKWOOD; COMPLAINT #15-040; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.**

(Exhibit "F")

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

Ms. Cagle moved to nominate Jim Artman as temporary vice-chairperson. 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	Recused
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	Yes

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

After a brief discussion by Steve McCaleb, Mr. Smithson moved to accept the Disciplinary Hearing Panel Recommendation as listed in Agenda Item VI. 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	Recused
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	Yes

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

VII. 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 an individual for non-payment of annual fees due on July 31, 2016. (Exhibit "G")

Mr. Artman made a Motion and it was seconded by Ms. Pruitt to approve Board staff to suspend the individual listed in Agenda Item VII, 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	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 November 30, 2016 and authority to issue certificates. (Exhibit "H")

Mr. Artman 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 VII, 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	Excused
Mr. Walton	Yes
Ms. Pruitt	Yes
Mr. Smithson	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.** No Report.
- D. **Discussion and possible action regarding approval of AMC renewal applications due by November 30, 2016 and authority to issue certificates.** (Exhibit "I")

Mr. Artman made a Motion and it was seconded by Ms. Pruitt 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. Smith	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	Yes

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

VIII. 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")

Ms. Pruitt made a Motion and it was seconded by Mr. Artman to approve the recommendation as presented in Agenda Item VIII. B. 1. 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
	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 "K")

(A) Mr. Artman 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 VIII. 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes

Mr. Smithson	Yes
Ms. Zarecki	Yes

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

(B) Ms. Pruitt made a Motion and it was seconded by Mr. Artman to allow staff to be given authority to issue trainee certificates to the individuals listed in Agenda Item VIII. 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	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 "L")

(A) Ms. Pruitt made a Motion and it was seconded by Mr. Artman to allow staff to be given authority to issue upgrade certificates to the individuals listed in Agenda Item VIII. B. 3 (A). 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
	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 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 "M")**

Following discussion of Grievance #16-023, Ms. Cagle made a motion and it was seconded by Ms. Pruitt that this matter be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	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 #16-024, Mr. Smithson made a motion and it was seconded by Ms. Cagle that this matter be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	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 #16-025, Mr. Smithson made a motion and it was seconded by Ms. Zarecki that this 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	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 #16-026, Mr. Smithson made a motion and it was seconded by Ms. Cagle that a non-disciplinary letter be issued, the matter 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	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 #16-027, Mr. Smithson made a motion and it was seconded by Ms. Zarecki that this 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	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 #16-028, Ms. Cagle made a motion and it was seconded by Mr. Smithson that a non-disciplinary letter be issued, the matter 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	Excused
Mr. Walton	Yes
Ms. Pruitt	Yes
Mr. Smithson	Yes
Ms. Zarecki	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 #16-029, Ms. Cagle made a motion and it was seconded by Mr. Smithson that this matter be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Artman	Recused
	Ms. Cagle	Yes
	Mr. Smith	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	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 #16-030, Ms. Pruitt made a motion and it was seconded by Ms. Cagle that this 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	Excused
	Mr. Walton	Yes
	Ms. Pruitt	Yes
	Mr. Smithson	Yes
	Ms. Zarecki	Yes

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

IX. **DISCUSSION AND POSSIBLE ACTION REGARDING ADMINISTRATIVE POLICIES AND PROCEDURES RELATED TO THE ENFORCEMENT OF PROBATION ON A RESPONDENT IN A COMPLAINT FILING TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.**

Tabled until the November 2, 2016 Board meeting.

X. **NEW BUSINESS.**

XI. **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 M.




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


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