



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

November 7, 2018
Date

316
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 November 7th, 2018 at 9:34 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, November 5th, 2018 at 9:30 a.m., and transmitted to the offices of the Board members on October 31st, 2018 and posted to the REAB website on November 5th, 2018. The agenda is attached as Exhibit "A".

- I. **CALL TO ORDER.** Stephen C. Walton called the meeting to order at 9:34 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;
H.E. Ted Smith;
Becky Zarecki;
Patty Broome

Board members excused were: John D. Doak and Shelley Pruitt

Based on the result of the roll call, a quorum was declared present by the Chair.

Others in attendance were: Bryan Neal, Assistant Attorney General; Christine McEntire, Director; Barron Brown, OID Counsel; Eric Schoen, Administrative Officer III; and Kayla Dekat, Legal Secretary. Others present were: Steve McCaleb, Rod Bien, Joe Garnand and Erika Jones.

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

Mr. Caesar moved that the reading of the minutes of the October 3rd, 2018 session be waived and approved as published and distributed. The Motion was seconded by Mr. Smith. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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 ORDER IN THE MATTER OF GARY L. WARD; COMPLAINT #17-051; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "C")

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

Following a brief presentation by Stephen McCaleb, Ms. Cagle made a Motion and it was seconded by Ms. Broome to accept the consent order 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

IV. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF DARRYL L. ROSS; COMPLAINT #17-048; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** No action.

Mr. Smith is recused from consideration of Agenda Item IV. in his capacity as Chair of the Probable Cause Committee.

Stephen McCaleb requested this item be tabled until the December 5th, 2018 Board meeting.

V. **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 August 31, 2018.** (Exhibit "D")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to approve Board staff to suspend the individuals listed in Agenda Item V., 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	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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 December 31, 2018 and authority to issue certificates.** (Exhibit "E")

Mr. Smith 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 V., 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	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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")

Mr. Caesar made a Motion and it was seconded by Ms. Broome to approve Board staff to

issue an original certificate to the individual listed in Agenda Item V., 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	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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 December 31, 2018 and authority to issue certificates. (Exhibit "G")

Ms. Broome made a Motion and it was seconded by Mr. Smith to issue a renewal certificate to the companies listed in Agenda Item V., 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	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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. 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) Mr. Smith made a Motion and it was seconded by Mr. Caesar to approve the recommendation as presented in Agenda Item VI. B. 1. A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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) Ms. Zarecki made a Motion and it was seconded by Ms. Broome to allow staff to be given authority to issue an original certificate to the individuals listed in Agenda Item VI. 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	Yes

Mr. Walton	Yes
Ms. Pruitt	Excused
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) Ms. Broome made a Motion and it was seconded by Ms. Smith to allow staff to be given authority to issue an original certificate to the individuals listed in Agenda Item VI. B. 2. (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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) Ms. Zarecki made a Motion and it was seconded by Mr. Caesar to allow staff to be given authority to issue an upgrade certificate to the individual listed in Agenda Item VI. 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	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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) Mr. Caesar made a Motion and it was seconded by Ms. Broome to allow staff to be given authority to issue a test card to the individual listed in Agenda Item VI. B. 2. (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Ms. Cagle	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	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")

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

Following discussion of Grievance #A18-019, Ms. Cagle made a Motion and it was seconded by Ms. Zarecki that the grievance 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #A18-020, Ms. Broome made a Motion and it was seconded by Ms. Zarecki that the grievance 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #18-021, Mr. Caesar made a Motion and it was seconded by Ms. Cagle that a non-disciplinary letter of warning be issued including the stipulation of completing corrective education within ninety days, thereafter, the grievance will be dismissed, 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #18-022, Ms. Broome made a Motion and it was seconded by Mr. Caesar that the grievance 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

The Chair ordered a brief recess.

The Chair ordered a roll call with the following results:

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

Following discussion of Grievance #18-023, Mr. Caesar made a Motion and it was seconded by Ms. Cagle that a non-disciplinary letter of warning be issued including the stipulation of completing corrective education within ninety days, thereafter, the grievance will be dismissed, 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #18-024, Ms. Broome made a Motion and it was seconded by Ms. Cagle that the grievance be dismissed, 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #18-025, Mr. Caesar made a Motion and it was seconded by Ms. Cagle that a non-disciplinary letter of warning be issued including the stipulation of completing corrective education within ninety days, thereafter, the grievance will be dismissed, 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #18-026, Mr. Caesar made a Motion and it was seconded by Ms. Cagle that a non-disciplinary letter of warning be issued including the stipulation of completing corrective education within ninety days, thereafter, the grievance will be dismissed, 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	Recused
Mr. Walton	Yes
Ms. Pruitt	Excused
Ms. Broome	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 #A18-027, Mr. Caesar made a Motion and it was seconded by Ms. Cagle that a letter of warning be issued, the grievance be dismissed, 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #18-029, Ms. Broome made a Motion and it was seconded by Ms. Cagle that the grievance 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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 #A18-030, Ms. Cagle made a Motion and it was seconded by Ms. Broome that a letter of warning be issued, the grievance 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	Recused
	Mr. Walton	Yes
	Ms. Pruitt	Excused
	Ms. Broome	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. **DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OF INDIVIDUALS TO EDUCATION, EXPERIENCE AND TESTING COMMITTEE; LEGISLATION AND RULES COMMITTEE; AND STANDARDS AND DISCIPLINARY PROCEDURES COMMITTEE WITH CONCURRENT APPOINTMENT AS APPRAISER HEARING OFFICERS FOR THE CALENDAR YEAR 2019.** No action. (Exhibit "L")
- VIII. **REPORT OF BOARD MEMBERS AS TO THEIR ATTENDANCE AT THE FALL CONFERENCE OF THE ASSOCIATION OF APPRAISER REGULATORY OFFICIALS IN WASHINGTON D.C.** No action. (Exhibit "M")
- IX. **DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED AMENDMENTS TO**

BOARD RULES AT OAC 600:10-1-6 EXPERIENCE PREREQUISITE, PURSUANT TO THE REQUIREMENTS OF 59 O.S. 4003 A. PROVIDING A ONE-TIME, ONE-YEAR FEE WAIVER FOR QUALIFIED LOW INCOME INDIVIDUALS APPLYING FOR AN APPRAISER CREDENTIAL. (Exhibit "N")

Mr. Caesar made a Motion and it was seconded by Ms. Cagle to approve the proposed amendments listed in Agenda Item IX. The Chair ordered a roll call vote with the following results:

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

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

X. **DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED AMENDMENTS TO THE APPRAISAL MANAGEMENT COMPANY REGULATION ACT AT 59. O.S. 858-801 ET SEQ., IN ORDER TO BRING THE OKLAHOMA APPRAISAL MANAGEMENT REGULATION ACT INTO COMPLIANCE WITH FEDERAL REQUIREMENTS.** (Exhibit "O")

Ms. Cagle made a Motion and it was seconded by Mr. Smith to approve the proposed amendments listed in Agenda Item X. The Chair ordered a roll call vote with the following results:

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

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

XI. **NEW BUSINESS.** No report.

XII. **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 O.



Handwritten signature of Stephen C. Walton in black ink.

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

Handwritten signature of Eric M. Schoen in blue ink.

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