

**OKLAHOMA REAL ESTATE APPRAISER BOARD  
STATE OF OKLAHOMA**

In the Matter of Real Estate Appraisers Named Below	)	
	)	<b>Order No. USPAP 19-3</b>
Respondents.	)	

ORDER

This matter comes on for hearing before the Oklahoma Real Estate Appraiser Board (the "Board") on March 1, 2019. The Board appears by and through its attorney, Assistant Attorney General Bryan Neal, and Respondents appear not.

JURISDICTION

The Board alleges and finds that the following Respondents are Trainee, State Licensed, State Certified Residential, or State Certified General Real Estate Appraisers in the State of Oklahoma:

<u>LICENSE NUMBER</u>	<u>NAME</u>	<u>CITY</u>	<u>ORDER DATE</u>
12641CRA	<b>Bailey</b> , Darrin F.	Okarche	January 7, 2019
12047SLA	<b>Dunham</b> , Michael S.	Pryor	January 7, 2019
12765CGA	<b>Weathers</b> , Mindy D.	Claremore	January 7, 2019
91147TRA	<b>Witten</b> , Bradley M	Wagoner	January 7, 2019

That the Board has jurisdiction over this cause, pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, 59 O.S. §858-700, et seq. (the "Act");

That the Board is the administrative credentialing entity for certified real estate appraisers, and that the Board has the authority to deny, revoke, or suspend Respondent's credentials, or otherwise discipline Respondents pursuant to the Act and the rules promulgated by the Board; and

That the proceedings were conducted in accordance with the Act and the Administrative Procedures Act, 75 O.S. 2010, §§308a-323, (the "APA").

## FINDINGS OF FACT

The Board adopts the following Findings of Fact:

1. That the above named Respondents' were required to complete the National USPAP Update Course and furnish a copy of the course completion certificate to the administrative office of the Board on or before December 31, 2018;
2. That Respondents' course completion certificates for the National USPAP Update Course were not received in the administrative office of the Board by December 31, 2018;
3. That an Order to Comply and Notice of Rights was forwarded to each of the above named Respondents at their last reported mailing address on January 7, 2019, by certified mail, return receipt requested, issuing notice that Respondents were delinquent in furnishing proof of satisfactory completion of the National USPAP Update Course and that said proof must be furnished within thirty days or their licenses would be suspended; and that they had the right to a hearing upon written request to the Board; and
4. That Respondents subsequently furnished proof of satisfactory completion of the National USPAP Update Course, but each one failed to remit the One Hundred Fifty Dollar (\$150.00) fine specified by the Order to Comply and Notice of Rights and did not request a hearing.

## CONCLUSIONS OF LAW

The Board adopts the following Conclusions of Law:

1. That the Board has jurisdiction over this matter pursuant to 59 O.S. §858-700, et seq.; and
2. That the proceedings were conducted in accordance with the Act and the APA.
3. That such conduct by Respondents constitutes a violation of 59 O.S. §858-723 (C)(2), in that such conduct by Respondents constitutes a violation of a violation of 59 O.S. §858-722 (B) and OAC 600:10-1-7(d).

## FINAL ORDER

Based on the above and foregoing, the above listed Respondents are hereby suspended from the date of this Order until such time that a One Hundred Fifty Dollar (\$150.00) fine has been remitted to the Board.

IT IS SO ORDERED on this 1st day of March, 2019.

*Eric M. Schoen*

**ERIC M. SCHOEN, Board Secretary**  
Oklahoma Real Estate Appraiser Board

*3-7-2019*

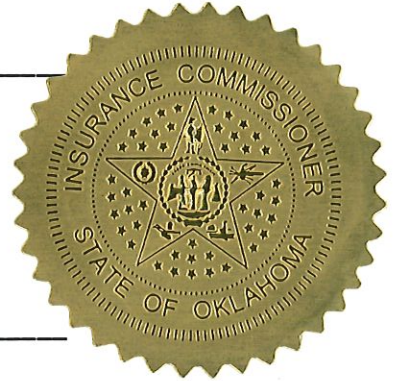
Date

*Bryan Neal*

**BRYAN NEAL**  
Assistant Attorney General and  
Board Counsel

*3/4/19*

Date



**CERTIFICATE OF MAILING**

I, Kayla Dekat, hereby certify that a true and correct copy of the above and foregoing Order was mailed by Certified Mail Return Receipt Requested on this 14 day of March, 2019 to each of the appraisers set forth above at their current address of record on file with the Oklahoma Real Estate Appraiser Board as follows:

**Darrin F. Bailey**

PO Box 693

Okarche, OK 73762-0693

**9214 8902 0982 7500 0181 95**

**Michael S. Dunham**

328 SE 13th St

Pryor, OK 74361-7411

**9214 8902 0982 7500 0182 01**

**Mindy D. Weathers**

PO Box 1011

Claremore, OK 74018-1011

**9214 8902 0982 7500 0182 18**

**Bradley M. Witten**

255 W 110th St N

Wagoner, OK 74467-8714

**9214 8902 0982 7500 0182 25**

  
\_\_\_\_\_  
Kayla Dekat



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

RECEIVED  
OKLAHOMA INSURANCE DEPT.

MAR 14 2019

Real Estate Appraiser Board

ATTORNEY GENERAL OPINION  
2019-147A

Christine McEntire, Director  
Oklahoma Real Estate Appraiser Board  
3625 N.W. 56th St., Ste. 100  
Oklahoma City, OK 73112

March 14, 2019

Dear Director McEntire:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Real Estate Appraiser Board intends to take pursuant to a consent order with respect to licensees listed in Exhibit A. The licensee each failed to complete required continuing education courses. The Board proposes to take the action listed in Exhibit A.

The Oklahoma Certified Real Estate Appraisers Act authorizes the Board revoke, suspend or otherwise discipline a licensee for “[f]ailing to meet the minimum qualifications established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act” *see* 59 O.S.Supp.2018, § 858-723(C)(2). The Act requires “completion . . . of the minimum number of classroom hours of instruction in courses or seminars according to the guidelines promulgated by the Appraiser Qualifications Board.” 59 O.S.2011, § 858-722(B). The rules promulgated by the Board requires all licensees to “successfully complete the seven (7) hour National USPAP Update Course, or an approved equivalent, every two calendar years.” OAC 600:10-1-7(d). The Board may reasonably believe that the proposed action is necessary to prevent future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Real Estate Appraiser Board has adequate support for the conclusion that this action advances the State’s policy to require real estate appraisers to complete a minimum amount of continuing education.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL