



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

April 5, 2019
Date

321
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 April 5th, 2019 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 Wednesday, April 3rd, 2019 at 9:30 a.m., and transmitted to the offices of the Board members on March 29th, 2019 and posted to the REAB website on April 3rd, 2019. 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.;
H.E. Ted Smith;
Becky Zarecki;
Patty Broome

Board members excused were: Glen Mulready, Betty J. Cagle and Layperson (vacant).

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, Ron Flowers, Justin King, Josh Cockroft and Rachel Mor.

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

Mr. Caesar moved that the reading of the minutes of the March 1st, 2019 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	Excused
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Broome	Yes
	Ms. Zarecki	Yes

THE RESULT WAS FIVE 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 KEVIN G. PIXLEY; COMPLAINT #18-013; 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 and all parties agreeing to waive the requirement for Ted Smith to recuse as required in his capacity as Chair of the Probable Cause Committee to allow a quorum so that this matter may be heard, Mr. Caesar made a Motion and it was seconded by Ms. Broome to accept the surrender in lieu of disciplinary proceedings regarding Kevin G. Pixley listed in Agenda Item III. The Chair ordered a roll call vote with the following results:

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

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

IV. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF MICHAEL S. DODSON; COMPLAINT #18-003A; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "D")

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

Following a brief presentation by Stephen McCaleb and all parties agreeing to waive the requirement for Ted Smith to recuse as required in his capacity as Chair of the Probable Cause Committee to allow a quorum so that this matter may be heard, Mr. Caesar made a Motion and it was seconded by Ms. Zarecki to accept the consent order regarding Michael S. Dodson listed in Agenda Item IV. The Chair ordered a roll call vote with the following results:

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

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

V. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF WILMA S. WATSON; COMPLAINT #17-043; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. Tabled to the May 1st, 2019 Board meeting due to the lack of a quorum.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING A DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF JAMES SINGLEY; COMPLAINT #18-010; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. Tabled to the May 1st, 2019 Board meeting due to the lack of a quorum.

TAKEN OUT OF ORDER.

XVI. DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION OF THE MATTER OF MICHAEL A. MASSEY AND MICHAEL T. ORMAN; COMPLAINT #18-006; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. Tabled to the May 1st, 2019 Board meeting due to the lack of a quorum.

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 individuals for non-payment of annual fees due on January 31, 2019. (Exhibit "E")

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

ROLL CALL VOTE:	Mr. Caesar	Yes
	Ms. Cagle	Excused

Mr. Smith	Yes
Mr. Walton	Yes
Ms. Broome	Yes
Ms. Zarecki	Yes

THE RESULT WAS FIVE 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 May 31, 2019 and authority to issue certificates. (Exhibit "F")

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 VII., Director's Report B. The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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 May 31, 2019 and authority to issue certificates. (Exhibit "G")

Ms. Broome made a Motion and it was seconded by Mr. Caesar 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. Caesar	Yes
	Ms. Cagle	Excused
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Broome	Yes
	Ms. Zarecki	Yes

THE RESULT WAS FIVE 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 "H")

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

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

THE RESULT WAS FIVE 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 Mr. Smith to allow staff to be given authority to issue an original certificate 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. Caesar	Yes
	Ms. Cagle	Excused
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Broome	Yes
	Ms. Zarecki	Yes

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

(B) 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 VIII. B. 2. (B). The Chair ordered a roll call vote with the following results:

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

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

(C) Mr. Smith 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 VIII. B. 2. (C). The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS FIVE 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. Broome made a Motion and it was seconded by Mr. Smith to allow staff to be given authority to issue an upgrade certificate 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. Caesar	Yes
	Ms. Cagle	Excused
	Mr. Smith	Yes
	Mr. Walton	Yes
	Ms. Broome	Yes
	Ms. Zarecki	Yes

THE RESULT WAS FIVE 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. (Exhibit "K")

Mr. Caesar made a Motion and it was seconded by Ms. Broome to appoint Mr. Richard Broughton immediately to the Probable Cause Committee and in two months to appoint Mark Thompson to the Probable Cause Committee. The Chair ordered a roll call vote with the following results:

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

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

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. No report.

IX. DISCUSSION AND POSSIBLE ACTION REGARDING THE SCHEDULING OF A BOARD-SPONSORED SEMINAR IN NOVEMBER, 2019. (Exhibit "L")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to allow staff to be given authority to schedule a Board sponsored seminar listed in Agenda Item IX. The Chair ordered a roll call vote with the following results:

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

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

X. DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR BIDS TO CONTRACT WITH AN APPRAISER-EXAMINER TO SUPPORT THE BOARD'S ENFORCEMENT PROGRAM BEGINNING FY 2020 WITH FOUR OPTIONS TO RENEW. (Exhibit "M")

Mr. Caesar made a Motion and it was seconded by Ms. Zarecki to allow a request for bids for up to two appraiser-examiners listed in Agenda Item X. The Chair ordered a roll call vote with the following results:

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

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

XI. DISCUSSION AND POSSIBLE ACTION REGARDING EXERCISING THE FOURTH OF FOUR OPTIONS TO RENEW A CONTRACT FOR TESTING SERVICES FOR FY 2020, AS TO PSI SERVICES, LLC, TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "N")

Mr. Smith made a Motion and it was seconded by Mr. Caesar to renew the contract listed in Agenda Item XI. The Chair ordered a roll call vote with the following results:

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

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

XII. DISCUSSION AND POSSIBLE ACTION REGARDING EXECUTIVE ORDER 2019-2 AND EXERCISING THE SECOND OF FOUR OPTIONS TO RENEW A CONTRACT FOR LEGISLATIVE LIAISON SERVICES FOR FY 2020, AS TO CAPITAL CITY ASSOCIATES, TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "O")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to seek approval from the Board's Cabinet Secretary in order to renew the contract listed in Agenda Item XII. The Chair ordered a roll call vote with the following results:

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

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

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2020 WITH THE OKLAHOMA ATTORNEY GENERAL'S OFFICE WITH RESPECT TO THE SERVICES OF BOARD COUNSEL TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "P")

Mr. Caesar made a Motion and it was seconded by Ms. Broome to renew the contract listed in Agenda Item XIII. The Chair ordered a roll call vote with the following results:

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

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

XIV. DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2020 WITH THE OKLAHOMA ATTORNEY GENERAL'S OFFICE WITH RESPECT TO THE SERVICES OF AN ADMINISTRATIVE HEARING EXAMINER TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "Q")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to renew the contract listed in Agenda Item XIV. The Chair ordered a roll call vote with the following results:

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

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

XV. DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT FOR LEGAL SERVICES FOR FISCAL YEAR 2020 WITH DERRYBERRY & NAIFEH WITH RESPECT TO PROSECUTORIAL SERVICES TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "R")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to renew the contract listed in Agenda Item XV. The Chair ordered a roll call vote with the following results:

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

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

XVII. NEW BUSINESS. No report.

XVIII. 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 R.





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



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