STATE OF OKLAHOMA

In the Matter of the Appraisers Named Below,)	
)	Order No. NP 19-02
Respondents)	

ORDER

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

JURISDICTION

The following Respondents are licensed appraisers in the State of Oklahoma:

NAME	LICENSE <u>NUMBER</u>	MOST RECENT ADDRESS FURNISHED
CASSIDY, Arlene D. COLE, Richard J.	13033CGA 13289CGA	2100 McKinney Ave., Ste. 700, Dallas, TX 75201 1100 Mira Vista Blvd., Ste. 400, Plano, TX 75093

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

That the Board is the administrative licensing entity for certified real estate appraisers, and that the Board has the authority to deny, revoke, or suspend the Respondents' licenses, or otherwise reprimand the 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 Oklahoma Administrative Procedures Act, 75 O.S. 2011, §§301-323.

FINDINGS OF FACT

The Board adopts the following Findings of Fact:

- 1. That the above named Respondents' annual licensing fees were due in the Board's office on or before November 30, 2018.
- 2. That Respondents' annual licensing fees, as noted above, have not been received by the Board;
- 3. That an Order to Comply and Notice of Rights was forwarded to the above named Respondents at their last reported mailing address on December 14, 2018, by certified mail, return receipt requested, issuing notice that the Respondents were delinquent in paying their annual licensing fees; that they must pay their annual licensing fees together with the late fee within thirty days or their licenses would

be suspended; and that they have the right to a hearing upon written request to the Board; and

4. That Respondents did not remit their annual licensing fees nor did they 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
- That such conduct by the Respondents constitutes a violation of 59 O.S. §858-723 (C) (9), in 2. that such conduct by the Respondents constitute a violation of 59 O.S. §858-708 (A).

FINAL ORDER

Based on the above and foregoing, the real estate appraiser credentials of the above-listed Respondents are suspended, to be effective from the date of this order until payment of all applicable fees are made or until the expiration date of the credential.

2-1-2019

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

ERIC SCHOEN, Administrative Officer

Real Estate Appraiser Board

Assistant Attorney General and Counsel to the Board

CERTIFICATE OF MAILING

I, Kayla Dekat, hereby certify that on the 21 day of February, 2019 a true and correct copy of the above and foregoing Order was mailed postage prepaid, by certified mail, return receipt requested to:

Arleen D. Cassidy 2100 McKinney Ave. Ste. 700 Dallas, TX 75201 9214 8902 0982 7500 0175 63

Richard J. Cole 1100 Mira Vista Blvd. Ste. 400 Plano, TX 75093 9214 8902 0982 7500 0175 70

KAYLA DEKATI BEKAT

FEB 2 1 2019

Real Estate Appraiser Board



Office of Attorney General State of Oklahoma

ATTORNEY GENERAL OPINION 2019-63A

Christine McEntire, Director Oklahoma Real Estate Appraiser Board 3625 N.W. 56th St., Ste. 100 Oklahoma City, OK 73112 February 20, 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 with respect to licensees 13033CGA and 13289CGA. The Board proposes to suspend the licensees' certification for failure to pay annual fees.

The Oklahoma Certified Real Estate Appraisers Act authorizes the Board to issue certificates to individuals who wish to engage in real estate appraisal. 59 O.S.Supp.2018, § 858-706(B)(3). The certificates last for three years and automatically expire at the end of the term if not renewed. 59 O.S.2011, § 858-714. Annual dues must be paid during the term of the certificate, see 59 O.S.Supp.2018, § 858-708(A), and are deposited into the Oklahoma Certified Real Estate Appraisers Revolving Fund to cover the Board's operating expenses. Id. § 858-730. The Board allows certificate holders to surrender the certificate prior to its expiration if they no longer wish to pay annual fees, see OAC 600:10-1-12(a), but the licensees did not do so. 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 the proposed action advances the State's policy to fund the Board through user fees rather than with tax revenues.

MIKE HUNTER

ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS

ASSISTANT ATTORNEY GENERAL

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