

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

## 1

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
2. That such conduct by the Respondents constitutes a violation of 59 O.S. §858-723 (C) (9), in 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.

IT IS SO ORDERED on this 1<sup>st</sup> day of February, 2019.

*Eric M. Schoen*

ERIC SCHOEN, Administrative Officer  
Real Estate Appraiser Board

*2-1-2019*

Date

*Bryan Neal*

BRYAN NEAL

Assistant Attorney General

*and Counsel to the Board*

*2/1/19*

Date



**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

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KAYLA DEKAT



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FEB 21 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.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Amanda Otis".

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL

