

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 day of March, 2019.

Eric M. Schoen

ERIC SCHOEN, Administrative Officer
Real Estate Appraiser Board

3-1-2019

Date

Bryan Neal

BRYAN NEAL
Assistant Attorney General

3/1/19

Date



CERTIFICATE OF MAILING


I, Kayla Dekat, hereby certify that on the 14 day of March, 2019 a true and correct copy of the above and foregoing Order was mailed postage prepaid, by certified mail, return receipt requested to:

Drew M. Childress
8300 Douglas Ave. Ste. 600
Dallas, TX 75225

9214 8902 0982 7500 0186 14

Bradley M. Witten
2255 W. 110 St. N.
Wagoner, OK 74467

9214 8902 0982 7500 0186 21



KAYLA DEKAT

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OKLAHOMA INSURANCE DEPT.

MAR 14 2019



Real Estate Appraiser Board OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-145A

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 with respect to licensees 13290CGA and 91147TRA. 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.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL