

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

In the Matter of the Appraisers Named Below,)
) Order No. NP 19-05
)
) Respondents

ORDER

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

JURISDICTION

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

<u>NAME</u>	<u>LICENSE NUMBER</u>	<u>MOST RECENT ADDRESS FURNISHED</u>
CULLINS, Kent C.	13115CGA	700 E. Campbell Rd. Ste. 265, Richardson, TX 75081
DANIELS, Robert W.	91148TRA	PO Box 2246, Mustang, OK 74402

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 February 28, 2019.
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 March 15, 2019, 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
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 May, 2019.

Eric M. Schoen

ERIC SCHOEN, Administrative Officer
Real Estate Appraiser Board

5-1-2019

Date

Bryan Neal

BRYAN NEAL
Assistant Attorney General

5/1/19

Date



CERTIFICATE OF MAILING

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

Kent C. Cullins
700 E. Campbell Rd. Ste. 265
Richardson, TX 75081

9214 8902 0982 7500 0206 86

Robert W. Daniels
PO Box 2246
Mustang, OK 74402

9214 8902 0982 7500 0206 93


KAYLA DEKAT

order NP 19-05

RECEIVED
OKLAHOMA INSURANCE DEPT.

MAY 14 2019

Real Estate Appraiser Board



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

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

May 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 the licensees 13115CGA and 91148TRA. The Board proposes to suspend the licenses for non-payment of their annual fee. All licenses automatically expire after "three years from the date of issuance" if not renewed. 59 O.S.2011, §§ 858-714, 858-721. Pursuant to Executive Order 2019-17, Qualifying Boards need not submit "(i) actions to which the respondent consents or agrees, (ii) actions resulting from a criminal conviction in a court of competent jurisdiction, (iii) actions in which the Board has performed the ministerial, non-discretionary task of implementing a mandatory statute, (iv) actions that impose only a fine or a requirement for additional education, and (v) actions that do not affect the status of the license or otherwise prevent the licensee from continuing to participate in the occupation." Because the board performed a ministerial, non-discretionary action by implementing a mandatory statute, no review by our office is necessary.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL