

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

In the Matter of BRYAN E. HUMPRHIES and)
 GREG CONNELLY,) Complaint #10-038
)
 Respondents.)

**CONSENT ORDER FOR RESPONDENTS BRYAN E. HUMPRHIES AND GREG
CONNELLY**

COMES NOW, the Oklahoma Real Estate Appraiser Board (“OREAB”), by and through the Prosecuting Attorney, Stephen McCaleb, and the Respondents, BRYAN E. HUMPRHIES and GREG CONNELLY, and enter into this Consent Order in lieu of a formal administrative hearing pursuant to Okla. Stat. tit. 59 § 858-700 *et seq.* and Oklahoma Administrative Code §600:10-1, *et seq.* All sections of this Consent Order are incorporated together.

AGREED FINDINGS OF FACT

The Respondents and OREAB hereby agree to the following Agreed Findings of Fact in settlement of this matter:

1. Respondent BRYAN E. HUMPRHIES (“Respondent”), is a Certified General Appraiser in the State of Texas, and applied for an Oklahoma Temporary Practice Permit on April 5, 2010; his Oklahoma Temporary Practice Permit was issued by the OREAB on April 12, 2010. Prior to that time, Respondent has represented himself, and/or has carried himself, as an Oklahoma appraiser, and therefore falls within the jurisdiction of the Board, pursuant to 59 O.S. §858-702.

2. That Respondent GREG CONNELLY (“Respondent”), is a Certified General Appraiser in the State of Texas. Connelly, through the subject report, has represented himself, and/or has carried himself, as an Oklahoma appraiser, and therefore falls within the jurisdiction of the Board, pursuant to 59 O.S. §858-702.

3. Upon information and belief, in March of 2010, Respondents were hired by Citigroup Risk Aggregation (the "client") to complete a Summary Appraisal Report on the subject property (the "appraisal"), which is a commercial property located at SWQ 71st Street and Lewis Avenue, Tulsa, Oklahoma (the "subject property").

4. Respondents completed and submitted the appraisal to his client with an effective date of March 4, 2010.

5. At the time of the appraisal's completion, Respondents were not licensed to practice appraising with the OREAB.

6. On April 5, 2010, Respondent Humphries submitted his application for an Oklahoma Temporary Practice Permit, which was received by the OREAB on April 9, 2010. The application describes the address of the subject property to be appraised as Kensington Complex, SWQ 71st St. & Lewis Avenue, Tulsa, Oklahoma 74136. The application certifies that the subject property appraised is part of a federally related transaction.

7. On April 12, 2010, the OREAB issued an Oklahoma Temporary Practice Permit to Respondent Humphries.

AGREED CONCLUSIONS OF LAW

1. That Respondents have violated 59 O.S. § 858-704(A): "No person, other than a trainee, state licensed, state certified residential or state certified general real estate appraiser, shall assume or use that title or any title, designation, or abbreviation likely to create the impression of certification as a real estate appraiser by this state. A person who is not certified pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act shall not describe or refer to any appraisal or other evaluation of real estate located in this state by using the term "state certified"." Accordingly, Respondents have violated 59 O.S. § 858-723(C)(9).

2. That Respondents have violated 59 O.S. § 858-723(C)(5): "An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person."

3. That Respondents have violated 59 O.S. § 858-723(C)(6) through 59 O.S. §858-726, in that Respondents violated:

- A) The Conduct Section of the Uniform Standards of Professional Appraisal Practice Ethics Rule;
- B) The Competency Rule of the Uniform Standards of Professional Appraisal Practice;
- C) The Scope of Work Rule of the Uniform Standards of Professional Appraisal Practice;
- D) Standards Rules 1, 1-1, and 2-3 of the Uniform Standards of Professional Appraisal Practice. These include the sub sections of the referenced rules.

4. That Respondents have violated 59 O.S. § 858-723(C)(9): "Willfully disregarding or violating any of the provisions of the Oklahoma Certified Real Estate Appraisers Act or the regulations of the Board for the administration and enforcement of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

5. That Respondents have violated 59 O.S. § 858-723(C)(13), in that Respondents violated 59 O.S. § 858-732(A)(1): "An appraiser must perform ethically and competently and not engage in conduct that is unlawful, unethical or improper. An appraiser who could reasonably be perceived to act as a disinterested third party in rendering an unbiased real property valuation must perform assignments with impartiality, objectivity and independence and without accommodation of personal interests."

6. That Respondents have violated 59 O.S. § 858-723(C)(14): "Failing to at any time to properly identify themselves according to the specific type of certification held."

CONSENT AGREEMENT

The Respondents, by affixing their signatures hereto, acknowledges:

1. That Respondents have been advised of their right to seek the advice of counsel prior to signing this document;
2. That Respondents possesses the following rights, including but not limited to:
 - a. The right to a formal fact finding hearing before a disciplinary panel of OREAB;
 - b. The right to a reasonable notice of said hearing;
 - c. The right to be represented by counsel;
 - d. The right to compel the testimony of witnesses;
 - e. The right to cross-examine witnesses against him; and
 - f. The right to obtain judicial review of the final decision of the OREAB.
3. That Respondents stipulate to the facts as set forth above and specifically waives their right to contest these findings in any subsequent proceedings before the OREAB and to appeal this matter to the District Court;
4. That Respondents consent to the entry of this Consent Order affecting their professional practice of real estate appraising in the State of Oklahoma;
5. That Respondents agree and consent that this Consent Order shall not be used by either of them for purposes of defending any other action initiated by the OREAB regardless of the date of the appraisal;
6. That all other original allegations in this matter are dismissed; and

ORDER

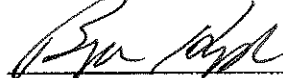
WHEREFORE, on the basis of the foregoing Agreed Findings of Fact and Conclusions of Law, it is Ordered that:

1. Respondent, BRYAN E. HUMPHRIES, shall pay an administrative fine in the amount of One Thousand Dollars (\$1,000.00);
2. Respondent, GREG CONNELLY, shall pay an administrative fine in the amount of One Thousand Dollars (\$1,000.00);
3. Fines and costs prescribed herein shall be paid in a manner contemplated by Okla. Stat. tit. 59 § 858-723(B)(4);

DISCLOSURE

Pursuant to the Oklahoma Open Records Act, Okla. Stat. tit. 51 §§24A.1-24A.21, the signed original of this Consent Order shall remain in the custody of OREAB as a public record and shall be made available for public inspection and copying upon proper request.

RESPONDENT



BRYAN HUMPHRIES

2/22/11

DATE



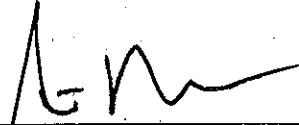
GREG CONNELLY

2/21/2011

DATE

CERTIFICATE OF BOARD PROSECUTING ATTORNEY

I believe this Consent Order to be in the best interests of the Oklahoma Real Estate Appraiser Board, the State of Oklahoma and the Respondent with regard to the violations alleged in the formal Complaint:

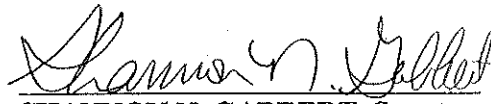


STEPHEN MCCALED, OBA #15649
Board Prosectuor
3625 Northwest 56th, STE 100
Oklahoma City, OK 73112

2-25-11

DATE

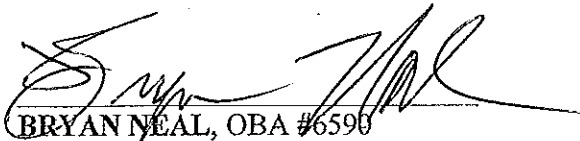
IT IS SO ORDERED on this 4th day of March, 2011.



SHANNON N. GABBERT, Secretary
Real Estate Appraiser Board

OKLAHOMA REAL ESTATE
APPRAISER BOARD

By:



BRYAN NEAL, OBA #6590
Assistant Attorney General
Attorney for the Board
3625 Northwest 56th, STE 100
Oklahoma City, OK 73112

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that on the 7th day of March, 2011 a true and correct copy of the above and foregoing Consent Order was placed in the U.S. Mail by certified mail, return receipt requested to:

Bryan E. Humphries 7009 2820 0001 5683 9554
4054 McKinney, Suite 210
Dallas, Texas 75204

Bryan E. Humphries 7009 2820 0001 5683 9561
3101 Caruth
Dallas, Texas 75225

Gregory M. Connelly 7009 2820 0001 5683 9578
1527 N. Buckner Boulevard
Dallas, Texas 75218

Gregory M. Connelly 7009 2820 0001 5683 9585
4054 McKinney, Suite 210
Dallas, Texas 75204

and that copies were forwarded by first class mail to the following:

OFFICE OF THE ATTORNEY GENERAL
Attn: Bryan Neal
313 N.E. 21st Street
Oklahoma City, OK 73105

DERRYBERRY & NAIFEH, LLP
Attn: Stephen McCaleb
4800 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105


Christine McEntire