

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

In the Matter of JOSHUA C. ALLISON,                     )  
   )  
   )             Complaint #10-074  
Respondent.   )

**CONSENT ORDER**

**COMES NOW**, the Oklahoma Real Estate Appraiser Board (“OREAB”), by and through the Prosecuting Attorney, Sue WycOFF, and the Respondent, Joshua C. Alison, by and through his counsel Adam Plunk, and enter into this Consent Order in lieu of a formal administrative hearing pursuant to Oklahoma Statutes Title 59 Sections 858-700 *et seq.* and Oklahoma Administrative Code Sections 600:10-1, *et seq.* All sections of this Consent Order are incorporated together.

**AGREED FINDINGS OF FACT**

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

1. That Respondent Joshua C. Allison is a Certified General Appraiser in the State of Texas, holding Texas certificate number 2010028636.
2. That on or about August 31, 2010, Respondent appraised and prepared a self-contained appraisal report for an existing, free-standing branch bank in Newkirk, Kay County, Oklahoma.
3. That Respondent signed the certification page of the appraisal report as a “State Certified General Real Estate Appraiser Temporary Permit Applied For”.
4. That at the time he performed the appraisal and signed the report Respondent did not posses and had not applied for an Oklahoma Temporary Practice Permit.
5. That Respondent’s application for an Oklahoma Temporary Practice Permit was not received in the Board office until September 7, 2010. The Oklahoma Temporary Permit was issued on September 8, 2010.

6. That Respondent has admitted these allegations in his Response to the Grievance herein.

### AGREED CONCLUSIONS OF LAW

The Respondent and OREAB agree to the following Conclusions of Law in settlement of this matter:

1. That Respondent has violated Oklahoma Statutes Title 59 Section 858-703(7) "...When identifying an appraisal or appraisal report as "certified", the trainee, state licensed, state certified residential or state certified general real estate appraiser must indicate which type of certification is held. A certified appraisal or appraisal report represents to the public that it meets the appraisal standards defined in the Oklahoma Certified Real Estate appraisers Act."

2. That Respondent has 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"."

3. That Respondent has 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 Respondent, by affixing his signature hereto, acknowledges:

1. That Respondent has been advised of his right to seek the advice of counsel prior to signing this document;

2. That Respondent 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 Respondent stipulates to the facts as set forth above and specifically waives the right to contest these findings in any subsequent proceedings before the OREAB and to appeal this matter to the District Court;
4. That Respondent consents to the entry of this Consent Order affecting his professional practice of real estate appraising in the State of Oklahoma;
5. That Respondent agrees and consents that he shall not use this Consent Order for purposes of defending any other action initiated by the OREAB regardless of the date of the appraisal;
6. That any other original allegations in this matter are dismissed.

### **ORDER**

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

1. Respondent, Joshua C. Allison, shall pay an administrative fine in the amount of One Thousand Dollars (\$1,000.00);

2. The fine prescribed herein shall be paid in the manner contemplated by Oklahoma Statutes Title 59 Section 858-723(B)(4).
3. This Consent Order shall not in any way limit Respondent's ability to apply for or obtain a temporary permit or an appraisal credential in the State of Oklahoma.

**DISCLOSURE**

Pursuant to the Oklahoma Open Records Act, Oklahoma Statutes Title 51 Sections 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

  
\_\_\_\_\_  
JOSHUA C. ALLISON

4.20.2011  
\_\_\_\_\_  
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.

  
\_\_\_\_\_  
SUE WYCOFF OBA# 9931  
Board Prosecutor  
3625 Northwest 56th, Ste. 100  
Oklahoma City, OK 73112

5/5/2011

DATE

IT IS SO ORDERED on this 6<sup>th</sup> day of May, 2011.



*Shannon N. Gabbert*

**SHANNON N. GABBERT**, Secretary  
Real Estate Appraiser Board

**OKLAHOMA REAL ESTATE  
APPRAISER BOARD**

By:

*Bryan Neal*

**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 a true and correct copy of the above and foregoing Consent Order was mailed, postage prepaid by certified mail with return receipt requested on this 13<sup>th</sup> day of May, 2011 to:

**Joshua C. Allison**

8300 Douglas Avenue, Suite 701  
Dallas, Texas 75225

**7010 3090 0000 3334 8995**

**ANDREWS BARTH & HARRISON**

Attn: Adam D. Plunk  
8235 Douglas Avenue, Suite 1120  
Dallas, Texas 75225

**7010 3090 0000 3334 8988**

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

**MOORE AND VERNIER**

Attn: Sue Wycoff  
301 NW 63rd, Ste 550  
Oklahoma City, OK 73116

**OFFICE OF THE ATTORNEY GENERAL**

Attn: Bryan D. Neal  
313 NE 21st St  
Oklahoma City, OK 73105



**Christine McEntire**