

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

In the Matter of HAL A. HARTSOCK and)
 JUDY K. OLIVER,)
)
 Respondents.) Complaint #10-041

BOARD’S ORDER MODIFYING ORDER #11-015

ON THE 8th day of July, 2011, the above numbered and entitled cause came on for hearing before the Oklahoma Real Estate Appraiser Board (the “Board”) pursuant to the Respondent, Hal A. Hartsock’s written request to modify Board Order #11-015, dated June 3, 2011, due to financial hardship. The Board’s prosecutor, Steven L. McCaleb, and the Respondent, Hal A. Hartsock (the “Respondent”) were both in attendance although no oral argument was provided.

The Board, after considering the Respondent’s written request and the Board’s Decision on Disciplinary Hearing Panel Recommendation, and being fully advised thereto hereby finds as follows:

JURISDICTION

1. That the Oklahoma Real Estate Appraiser Board has jurisdiction of this cause, pursuant to the provisions of the Oklahoma Certified Real Estate Appraiser Act, 59 O.S. § 858-700 *et seq.*
2. That the proceedings were conducted in accordance with the Oklahoma Certified Real Estate Appraiser Act, 59 O.S. § 858-700 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S., §301-323.
3. The Board having issued its Board Order #11-015 in this Complaint #10-041 imposing penalties against the Respondent, retains the authority to modify its own Orders under Title 59, Section 858-723 of Oklahoma Statutes, as to the payment of fines and costs.

FINDINGS OF FACT

1. That Respondent HAL A. HARTSOCK is a certified general appraiser in the State of Oklahoma, holding credential number 11454CGA and was first licensed with the Oklahoma Real Estate Appraiser Board on April 7, 1995.

2. On June 3, 2011, the Board affirmed the decision of the Disciplinary Hearing Panel in its Disciplinary Hearing Panel Recommendation as to Complaint #10-041 in which the following penalties were imposed on the Respondent:

A. Respondent shall be prohibited from being a supervisor for a period of **FIVE (5) YEARS** from the date that any final order in this matter is entered.

B. Board approval for Respondent to act as an instructor shall be withdrawn for a period of **TWO (2) YEARS** from the date that any final order in this matter is entered.

C. Respondent be placed on **PROBATION** for a period of **ONE (1) YEAR** from the date any order of the Board adopting this recommendation. During this period of probation, Respondent shall provide an appraisal log on REA Form 3 to the administrative office of the Board no later than the fifth working day of each month detailing all his appraisal activity during the preceding month. The Board may select and require samples of work product from these appraisal logs to be sent for review.

D. Respondent shall pay the of costs expended by the Board for legal fees and travel costs not to exceed two thousand five hundred dollars (\$2,500.) The Board staff will provide a statement of the costs incurred to Respondent with the final order. Costs shall be paid in accordance with 59 O.S. § 858-723(B).

3. On July 1, 2011 correspondence was received from Respondent in which he requested a payment plan be made for reimbursement to the Board of the \$2,500 in legal fees and costs. The Respondent requested that these payments be made by him in the sum of \$250.00 each

month over a period of ten months. The Respondent states his request is made in order to meet his other financial obligations as he is rebounding from a slow first of the year as an appraiser given the mortgage crisis.

ORDER

IT IS THEREFORE ORDERED that Board Order #11-015 is hereby MODIFIED with respect to payment of Respondent, Hal A. Hartsock's fines and costs as follows: Respondent, Hal A. Hartsock, shall pay to the Board the costs expended by the Board for legal fees and travel costs in a sum not to exceed two thousand five hundred dollars (\$2,500.00) in ten equal monthly payments in the sum of \$250.00 each month. Each payment is due on or before close of business on the 20th day of each month.

IT IS SO ORDERED this 8th day of July, 2011.



By: *Shannon M. Gabbert*
SHANNON GABBERT, Board Secretary

By: *Bryan Meal*
BRYAN MEAL, Assistant Attorney General
Counsel to the Board

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Board's Order Modifying Order 11-015 was mailed postage prepaid by certified mail with return receipt requested on this 13th day of July, 2011 to:

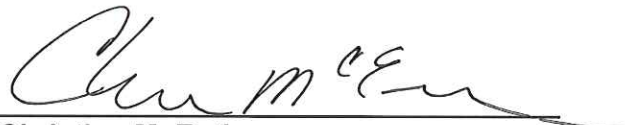
Hal A. Hartsock
4001 N.W. 122nd Street, #1121
Oklahoma City, Oklahoma 73120

7010 3090 0000 3334 5222

and that copies were mailed to:

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