

4. The property owner purchased the land in December of 2007. At that time, Respondent completed an appraisal on the subject property and estimated the value at Three Hundred Seventy One Thousand Dollars and 00/100 (\$371,000.00). This was done based upon four comparables within six miles of the subject property.

5. Between December of 2007 and April of 2010, the owner of the subject property purchased an additional five (5) acres of land and made extensive improvements to the property, including clearing brush, installing a new fence, digging a culvert, repairing washed out pond dams, installing freeze-proof watering facilities for cattle, laid over 55 acres of Bermuda grass and built a road through the property to allow larger trucks and equipment to enter the property.

6. In April, 2010, the property owner sought a mortgage so that he could build a cattle-handling barn and work shop. Respondent, who completed the December 2007 appraisal, was sent out by the lending institution to perform the 2010 appraisal.

7. The Respondent utilized comparables that were adequate for the property even though they were older than other available comparables. The Respondent believed the comparables were a better fit for the property.

8. The May of 2010 appraisal resulted in value of \$350,000.

9. The Respondent was aware of several improvements to the land and the additional acreage, but did not adequately explain the effect of the improvements on the values developed in the appraisal.

AGREED CONCLUSIONS OF LAW

1. That Respondent has violated 59 O.S. § 858-723(C)(6) through 59 O.S. §858-726, in that Respondent violated:

A) The Scope of Work Rule of the Uniform Standards of Professional Appraisal Practice;

D) Standard 1 and Standards Rules 1-1, 1-2, 1-4, 1-6; Standard 2 and Standards Rules 2-1, and 2-2 of the Uniform Standards of Professional Appraisal Practice. These include the sub sections of the referenced rules.

2. That Respondent has violated 59 O.S. § 858-723(C)(7): "Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal.", in that Respondent did not adequately communicate his handling of the value of the improvements in the appraisal.

3. That Respondent has violated 59 O.S. § 858-723(C)(8): "Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal.", in that Respondent did not adequately communicate his handling of the value of the improvements in the appraisal.

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, and has in fact retained Perry Kaufman as his legal counsel;

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 his 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 this Consent Order shall not be used by him 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

7. That this Consent Order is for the purpose of settlement only. Neither the fact that Respondent and OREAB have agreed to this Consent Order, nor the Findings of Fact or Conclusions of Law contained herein, shall be used for any purpose in any proceeding, except by the OREAB. Nothing contained in this Consent Order is an admission by the Respondent of liability.

ORDER

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

1. Respondent, GRANT ROHWER, agrees to take the following corrective education class:

<u>OK REAB</u>		
<u>COURSE</u>		
<u>NUMBER</u>	<u>HOURS</u>	<u>COURSE NAME</u>
632 or 60K	30	General Appraiser Sales Comparison Approach

These hours shall be successfully completed within three hundred sixty-five days of the adoption of this order. Certificates of course completion shall be filed in the administrative office of the Board within the time prescribed.

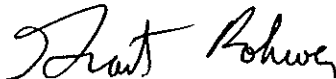
2. Respondent, shall pay an administrative fine in the amount of Five Hundred Dollars (\$500.00).

3. Fines and costs prescribed herein shall be paid in a manner contemplated by Okla. Stat. tit. 59 § 858-723(B)(2) and (4).

4. Failure to comply with the provisions of this Order will cause Respondent's license to be suspended instanter until proof of compliance is filed with the OREAB.

DISCLOSURE

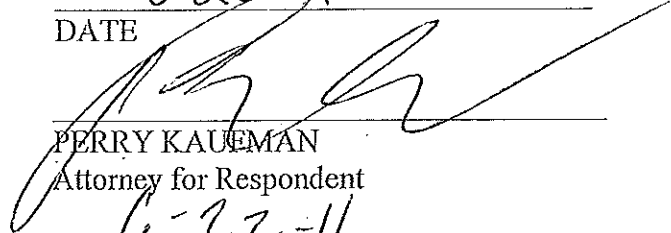
Pursuant to the Oklahoma Open Records Act, Okla. Stat. tit. 51 §§24A.1-24A.21, the signed original of this Consent Order shall remain in the custody of OREAB as a public record and shall be made available for public inspection and copying upon proper request.



GRANT ROHWER, RESPONDENT

6-20-11

DATE



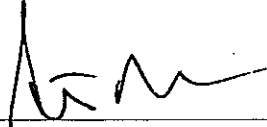
PERRY KAUFMAN
Attorney for Respondent

6-22-11

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.

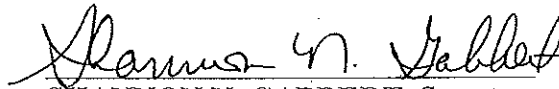
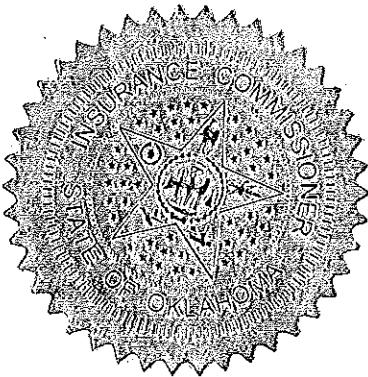


STEPHEN MCCALED, OBA #15649
Board Prosectuor
3625 Northwest 56th, STE 100
Oklahoma City, OK 73112

6-13-11

DATE

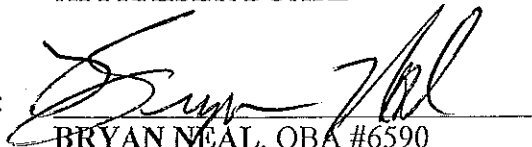
IT IS SO ORDERED on this 8th day of July, 2011.



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 14th day of July, 2011 a true and correct copy of the above and foregoing Consent Order for Respondent Grant F. Rohwer was placed in the U.S. Mail by certified mail, return receipt requested to:

Perry E. Kaufman
Goolsby, Proctor, Heefner & Gibbs
701 N. Broadway, Suite 400
Oklahoma City, Oklahoma 73102
Counsel for Respondent, Grant Rohwer

7010 3090 0000 3334 5291

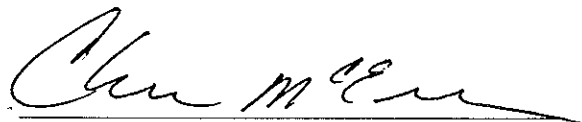
and that copies were forwarded by first class mail to the following:

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