

5. Respondent failed to adequately describe improvements in the cost approach, resulting in an unverifiable conclusion.
6. Respondent assigned a \$100,000 value to unspecified site improvements. He also failed to describe information analyzed, methods and techniques employed and his reasoning to support his analyses, opinions and conclusions.
7. Respondent failed to state whether the value is "as is" or "pending improvements."
8. Respondent failed to provide descriptions of the comp sales in a manner so as to allow the reader to comprehend the attributes being compared. He also made a positive \$100,000 adjustment across the board for 440 volt/natural gas without explanation.
9. Respondent calculated land value at \$5,500 per acre in the cost approach, but contradicts this number by adjusting \$2,000 per acre in the sales comparison approach.
10. Respondent makes a \$20,990 negative adjustment for gross building area from comp #2 that should have been a positive adjustment.
11. Respondent further opines that the highest and best use of the subject property is a storage unit and reports its anticipated use at 368 storage units, an income producing use, yet fails to develop the income approach which would be necessary for credible assignment results.
12. Respondent's adjustments are inconsistent.
13. The comparables chosen by the Respondent are not adequately broken down so that they are shown to be truly comparable to the subject.

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 Competency Rule of the Uniform Standards of Professional Appraisal Practice;
- B) The Scope of Work Rule of the Uniform Standards of Professional Appraisal Practice;
- C) Standard 1, Standards Rule 1-1, and 1-4; Standard 2, 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."

4. 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."

CONSENT AGREEMENT

The Respondent, by affixing his signature hereto, acknowledges:

- 1. That Respondent has been advised to seek the advice of counsel prior to signing this document, and
- 2. That Respondent possesses the following rights among others:
 - a. the right to a formal fact finding hearing before a disciplinary panel of the Board;
 - 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 Board.

3. The Respondent stipulates to the facts as set forth above and specifically waives his right to contest these findings in any subsequent proceedings before the Board and to appeal this matter to the District Court.

4. The Respondent consents to the entry of this Order affecting his professional practice of real estate appraising in the State of Oklahoma.

5. The Respondent agrees and consents that this Consent Order shall not be used by him for purposes of defending any other action initiated by the Board regardless of the date of the appraisal.

6. All other original allegations in this matter are dismissed.

ORDER

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

1. Respondent agrees and consents that he will no longer complete commercial appraisals (commercial meaning non-residential properties). If, after the date this order is entered, Respondent violates this condition, he will be required to show cause to the OREAB as to why he should not receive further penalties against his credential;

2. Respondent shall pay an administrative fine in the amount of One Thousand Dollars (\$1,000.00). Said fine shall be paid within ninety days from the entry of this order;

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

4. In the event the Respondent fails to comply with any of the terms and conditions of this Consent Order, Respondent must appear in front of the OREAB to show cause why further action shouldn't be taken.

DISCLOSURE

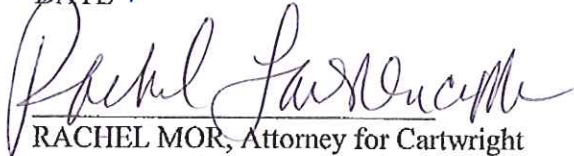
Pursuant to the Oklahoma Open Records Act, 51 O.S. §§24-A.1 – 24A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection and copying upon request.

RESPONDENT:



DREW S. CARTWRIGHT

1/23/2012
DATE




RACHEL MOR, Attorney for Cartwright

1/24/2012
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 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112

DATE 02/03/2012

IT IS SO ORDERED on this 3rd day of February, 2011.



Shannon G. Gabbert
SHANNON GABBERT, Secretary
Real Estate Appraiser Board

**OKLAHOMA REAL ESTATE
APPRAISER BOARD**

By: Bryan Meal
BRYAN MEAL, OBA #6590
Assistant Attorney General
Attorney for the Board
2401 NW 23rd Street, Suite 28
Oklahoma City, Oklahoma 73152

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Consent Order for Respondent Drew S. Cartwright was mailed on this 3rd day of February, 2012 to:

Rachel Lawrence Mor
3037 N.W. 63rd Street, Suite 205
Oklahoma City, Oklahoma 73116

7010 3090 0000 3334 9299

Counsel for Respondent

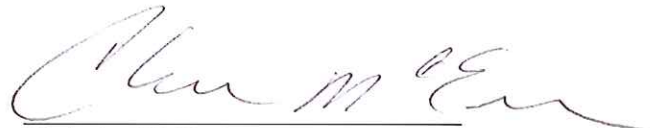
and by First Class Mail to:

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