

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

|                                     |   |                   |
|-------------------------------------|---|-------------------|
| In the Matter of Daniel D. Bunn and | ) |                   |
| Donald W. Wilson,                   | ) |                   |
|                                     | ) | Complaint #05-019 |
| Respondents.                        | ) |                   |

**CONSENT ORDER**

This Order is an agreement between Daniel D. Bunn (hereinafter referred to as “Respondent”) and the Oklahoma Real Estate Appraiser Board (hereinafter referred to as the “Board”). Respondent is represented by Robert J. Haupt and Rachel Lawrence Mor, from the law firm Haupt, Brooks Vandruff, Claor, and the Board is represented by Stephen McCaleb, from the law firm of Derryberry & Naifeh, in his capacity as prosecutor for the Board. Respondent and the Board agree and consent as follows:

**JURISDICTION**

1. The Board has jurisdiction in this matter pursuant to the provisions of the Oklahoma Real Estate Appraisers Act, OKLA. STAT. TIT. 59, §§858-700 *et seq.*
2. The proceedings in this matter were conducted pursuant to the Oklahoma Real Estate Appraisers Act, OKLA. STAT. TIT. 59, §§858-700 *et seq.* and the Oklahoma Administrative Procedures Act, OKLA. STAT. TIT. 75, §§301 *et seq.*
3. Respondent is a State Certified Residential Licensed Appraiser in the State of Oklahoma, holding certificate number 12381 SLA.

The Board and Respondent consent to the following Agreed Facts, Agreed Violations of Law and Agreed Settlement of this matter:

**AGREED FACTS**

4. Beacon Financial Group (the “client”) hired Donald Wilson and Wilson and Wilson Appraisers to appraise a parcel of real estate located at Route 1 Box 289-1, Choteau, Oklahoma 74337 (the “property”).
5. On or about February 7, 2003, Respondent prepared and signed an appraisal report (the “report”) for the property and transmitted said report to the client.
6. Respondent’s report stated that the square footage of the subject property was 2,650 square feet. A subsequent appraisal listed the square footage as 1,898 square feet. The incorrect number was due to Respondent including the upstairs area in the calculation of the gross living area. The upstairs area is not adequately heated and should not have been included in the calculation of the gross living area.

7. The report estimated the market value of the property at two-hundred fifty thousand dollars (\$250,000.00).
8. On or about August 12, 2004, Kirby Bickel, an Oklahoma state licensed appraiser prepared and signed an appraisal report for the Route 1 Box 289-1, Choteau, Oklahoma 74337 property and the report estimated the market value of the property at one-hundred fifty thousand dollars (\$150,000.00). This report in the comment addendum stated that "the Upstairs of the Subject is not adequately heated and/or Cooled, therefore the adjustment for this area was made under the Amenities Line". He determined the gross living area to be 1,898 square feet.

### **AGREED VIOLATIONS OF LAW**

9. That Respondent has violated 59 O.S. § 858-723(A)(6) through 59 O.S. §858-726, in that Respondent violated:
  - a) The Conduct and Management Sections of the 2003 Edition of the Uniform Standards of Professional Appraisal Practice Ethics Rule;
  - b) The Competency Rule in the 2003 Edition of the Uniform Standards of Professional Appraisal Practice;
  - c) Standards Rule 1 in the 2003 Edition of the Uniform Standards of Professional Appraisal Practice;
  - d) Standards Rule 1-1(a) in the 2003 Edition of the Uniform Standards of Professional Appraisal Practice;
  - e) Standards Rule 1-1(b) in the 2003 Edition of the Uniform Standards of Professional Appraisal Practice;
  - f) Standards Rule 1-1(c) in the 2003 Edition of the Uniform Standards of Professional Appraisal Practice;
  - g) Standards Rule 2 in the 2003 Edition of the Uniform Standards of Professional Appraisal Practice;
  - h) Standards Rule 2-1 in the 2003 Edition of the Uniform Standards of Professional Appraisal Practice;
10. That Respondent has violated 59 O.S. § 858-723(A)(7): "Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal."
11. That Respondent has violated 59 O.S. § 858-723(A)(8): "Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal."

### **AGREED SETTLEMENT**

Based on the foregoing, the Board and Respondent consent to the issuance of the following in settlement of this matter:

12. That Respondent waives the right to hearing, any appellate relief and any procedural rights afforded to him pursuant to the Oklahoma Real Estate Appraisers Act.


13. That Respondent hereby agrees and consents to a formal reprimand against his license.
14. Further, Respondent agrees to complete sixty (60) qualifying hours of corrective education from a sponsoring organization of the appraisal foundation. Proof of successful completion of the sixty (60) hours shall be provided to the Director of the Oklahoma Real Estate Appraiser Board no later than three hundred sixty-five (365) days after the Oklahoma Real Estate Appraiser Board's ratification of this order. Further, the hours will need to be approved by the Director of the Oklahoma Real Estate Appraiser Board prior to full compliance. Failure to comply with this requirement will result in an immediate suspension of Respondent's license until proof of completion is received and deemed approved by the Director of the Oklahoma Real Estate Appraiser Board. These hours are exclusive of the continuing education hours required of Respondent.

IT IS SO ORDERED on this 8<sup>th</sup> day of SEPTEMBER, 2006.

APPROVED BY:

  
DANIEL BUNN, RESPONDENT

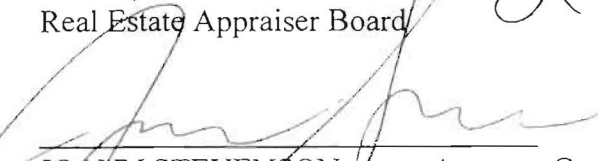
8.25.2006  
Date

  
ROBERT J. HAUPT  
RACHEL LAWRENCE MOR  
Counsel to Daniel Bunn

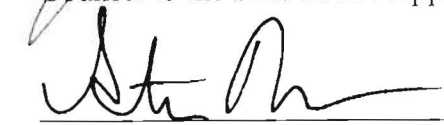
August 24, 2006  
Date

  
KIM HOLLAND, CHAIRPERSON  
Real Estate Appraiser Board

9.18.06  
Date

  
JOANN STEVENSON, Asst. Attorney General  
Counsel to the Real Estate Appraiser Board

9.11.06  
Date

  
STEPHEN McCALEB  
Real Estate Appraiser Board Prosecutor

8-21-06  
Date

## CERTIFICATE OF MAILING

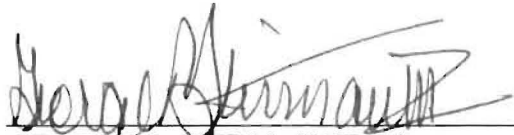
I, George R. Stirman III, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed by certified mail, return receipt requested, on the 19th day of September, 2006 to:

Daniel D. Bunn  
c/o Rachel Lawrence Mor  
Haupt, Brooks, Vandruff, Cloar  
One N. Hudson, 9th Floor  
Oklahoma City, OK 73102

**VIA CERTIFIED MAIL**  
**7006 0810 0002 6164 4786**

and that copies were mailed by first class mail to:

John R. Gurley, Hearing Panel Member, 2207 N. O St, Blackwell, OK 74631;  
Terry L. Hinkle, Hearing Panel Member, PO Box 720201, Oklahoma City, OK 73172;  
Norman J. Houston, Alternate Panel Member, 2727 Silvertree Dr., OK 73120;  
Donna L. Pollock, Alternate Panel Member, PO Box 30291, Edmond, OK 73003  
Stephen L. McCaleb, Board Prosecutor, 4800 N. Lincoln Blvd, Oklahoma City, OK 73105; and  
Joann Stevenson, Board Counsel, 4545 N Lincoln Blvd, Ste 260, Oklahoma City, OK 73105.



**GEORGE R. STIRMAN III**, Director  
Real Estate Appraiser Board  
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