

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

In the Matter of JAMIE L. PARKER,)
)
Respondent.) Complaint #11-051

CONSENT ORDER FOR RESPONDENT JAMIE L. PARKER

COMES NOW, the Oklahoma Real Estate Appraiser Board (“OREAB”), by and through the Prosecuting Attorney, Stephen McCaleb, and the Respondent, Jamie L. Parker, and enter into this Consent Order in lieu of a formal administrative hearing pursuant to Okla. Stat. tit. 59 § 858-700 *et seq.* and Oklahoma Administrative Code § 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. In June of 2011, Midfirst Bank, (the “client”) hired Respondent to complete an appraisal (the “appraisal”) for a property located at 2944 West Hill Street, Oklahoma City, Oklahoma (the “subject property”).

2. The Respondent derived an opinion of value of \$52,000.00 on the subject property. She reports that her data sources were Multi Listing Service (“MLS”) and county records. The property sold for \$53,500 in 2000. Respondent’s errors led to a financial loss to a consumer.

3. Respondent’s report contained numerous errors and omissions, which resulted in a misleading report. There errors include but are not limited to the following paragraphs 11-10.

4. Respondent’s age adjustments are arbitrary and contain no explanation on how the adjustments were derived.

5. Respondent's comments appear to be canned with some areas of the report completely lacking any sort of comment or descriptive language.

6. Respondent reports that the neighborhood's land use is 10% commercial but does not provide any sort of explanation.

7. Respondent provides no support on how she derived the site value in her cost approach.

8. Respondent reported that her comparable 3 had not sold within the last year, but county records show that it sold twice within the previous year; February 4, 2011, and April 29, 2011. This comparable was 82 square feet smaller than the subject and sold for \$10,500 more than the value Respondent gave to the subject.

9. Respondent's methodology for gross living area adjustments is misleading. Although home sales in the subject area were selling in a range of \$48 to \$76 per square foot, she was adjusting \$15 per square foot and provided no explanation for this in her report.

10. That Respondent's appraisal report stated, in the Appraiser's Certification, that the appraisal was developed and the report prepared in conformity with the Uniform Standards of Professional Appraisal Practice.

AGREED CONCLUSIONS OF LAW

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

- A) The Ethics Rule and the Conduct Section of the Uniform Standards of Professional Appraisal Practice Ethics Rule;
- B) The Competency Rule of the Uniform Standards of Professional Appraisal Practice;

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

D) Standard 1, Standards Rules 1, 1-1, 1-4, and 1-6; 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)(5): "An act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the certificate holder or another person or with the intent to substantially injure another person."

3. 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."

5. That Respondent has violated 59 O.S. § 858-723(C)(9): "Willfully disregarding or violating any of the provisions of the Oklahoma Certified Real Estate Appraisers Act."

6. That Respondent has violated 59 O.S. § 858-723(C)(10): "Accepting an appraisal assignment when the employment itself is contingent upon the appraiser reporting a predetermined estimate, analysis or opinion, or where the fee to be paid is contingent upon the opinion, conclusion, or valuation reached, or upon the consequences resulting from the appraisal assignment."

7. That Respondent has violated 59 O.S. § 858-723(C)(13), in that Respondent violated 59 O.S. § 858-732(A)(1): "An appraiser must perform ethically and competently and not engage in conduct that is unlawful, unethical or improper. An appraiser who could reasonably be perceived to act as a disinterested third party in rendering an unbiased real property valuation must perform assignments with impartiality, objectivity and independence and without accommodation of personal interests."

CONSENT AGREEMENT

The Respondent, by affixing her 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 her 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 her 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 her 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 shall pay an administrative fine in the amount of One Thousand Dollars (\$1,000.00). Per 59 O.S. §858-723, the parties agree that the administrative fine shall be paid within sixty (60) days of notification of the certificate holder by the Board of the order of the Board imposing the administrative fine. The certificate may be suspended until any fine imposed upon the licensee by the Board is paid. If the fine is not paid in full by the licensee within sixty (60) days of the notification by the Board of the order, the fines shall double and the certificate holder shall have an additional thirty-day period. If the double fine is not paid within the additional thirty-day period, the certificate shall automatically be revoked; and

2. Respondent successfully completes corrective education as follows: THIRTY (30) HOURS – 613: Residential Sales Comparison and Income Approaches. Respondent shall file with the OREAB proof of the completed course no later than December 1, 2012.

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:


JAMIE L. PARKER

5-21-12
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.

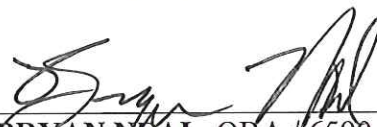

STEPHEN MCCALED, OBA #15649
Board Prosecutor
3625 N.W. 56th Street, Suite 100
Oklahoma City, Oklahoma 73112

5-18-12
DATE

IT IS SO ORDERED on this 6th day of July, 2012.




CHRISTEN WATSON, Secretary
OKLAHOMA REAL ESTATE
APPRAISER BOARD

By: 
BRYAN NEAL, OBA #6590
Assistant Attorney General
Counsel for the Board
313 NE 21st Street
Oklahoma City, Oklahoma 73105

CERTIFICATE OF MAILING

I, Rebecca Keesee, hereby certify that on the 10th day of July, 2012 a true and correct copy of the above and foregoing Consent Order for Respondent Jamie L. Parker was placed in the U.S. Mail by certified mail, return receipt requested to:

Jamie L. Parker
2502 Lakecrest Drive
Oklahoma City, OK 73170

7010 3090 0000 3334 6359

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

Bryan Neal, Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
313 N.E. 21st Street
Oklahoma City, OK 73105

Stephen L. McCaleb
DERRYBERRY & NAIFEH
4800 N. Lincoln Boulevard
Oklahoma City, OK 73105


REBECCA KEESEE