# BEFORE THE REAL ESTATE APPRAISER BOARD STATE OF OKLAHOMA

IN THE MATTER OF PEGGY S. THOMPSON ) COMPLAINT NO. 05-049 Trainee Appraiser, 90724TRA )

#### **BOARD ORDER**

This matter comes on for hearing before the Oklahoma Real Estate Appraiser Board on the 9th day of January, 2009 at the Oklahoma Insurance Department. The Board is represented by Prosecutor, Sue Wycoff, and is advised by Bryan Neal, Assistant Attorney General. Peggy Thompson appears in person, and is represented by counsel, John Alberts.

The Board, after hearing oral argument, and upon review of the file and considering all evidence and argument, and being fully advised thereto, enters the following Findings of Fact and Conclusions of Law:

This Order is issued pursuant to the Oklahoma Real Estate Appraiser Act, Title 59 Section 858-700 et seq. of the Oklahoma Statutes.

### **FINDINGS OF FACT**

After hearing all the evidence presented and upon due consideration thereof, the Board finds by clear and convincing evidence that:

- 1. Proper notice of this hearing has been served on Respondent as required by law.
- 2. Respondent is licensed as a Trainee Appraiser in the State of Oklahoma, holding credential 90724TRA.
- 3. On March 3, 2006 the Board adopted the Hearing Panel Recommendation in Complaint No. 05-049, in Order No. 06-002, requiring that Ms. Thompson's Trainee Appraiser certificate be revoked; and, that in light of mitigating circumstances, determined that the

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revocation should be deferred for a period of thirty six (36) months, and if there is no formal complaint filed by the Board within that period, that this matter shall be dismissed.

- 4. On November 17, 2008 a Notice to Appear and Order to Show Cause was issued by the Real Estate Appraiser Board for alleged violations by Respondent of this Order by the filing of Grievance 07-066, in the Administrative Office of the Board on October 31, 2007, with the adoption of a formal Complaint on February 2, 2008. Following a disciplinary hearing on Complaint 07-066 in September, 2008, the Board adopted Order 08-031 in resolution of this Complaint.
  - 5. This Order constitutes formal disciplinary action.

### **CONCLUSIONS OF LAW**

The Board has jurisdiction to hear this matter pursuant to Title 59 Sections 858-700 et seq. of the Oklahoma Statutes.

The Board concludes that Respondent has violated an Order of the Board, in violation of the Real Estate Appraiser Act, and that such is grounds to deny, suspend or revoke Respondent's license and to impose an administrative penalty as provided at Title 59 Section 858-723 A and OAC Section 600:15-1-14 of the Rules promulgated by the Real Estate Appraiser Board. The Board further concludes that Respondent's license shall be disciplined as set forth in the Order below.

#### ORDER

IT IS THEREFORE ORDERED by the Oklahoma Real Estate Appraiser Board that no action be taken on the Notice to Appear and Order to Show Cause.

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IT IS SO ORDERED on this 22 day of January, 2009

KIM HOLLAND, Chairwoman Real Estate Appraiser Board

Assistant Attorney General 313 N.E. 21<sup>st</sup> Street Oklahoma City, OK 73105 (405) 522-4414

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## CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Board Order was mailed by certified mail, return receipt requested, on this <u>zz</u> day of January, 2009 as follows:

Peggy Thompson 1004 Regal Road Yukon, Oklahoma 73099 **CERTIFIED NUMBER** 7001 0320 0004 0179 5269

7001 0320 0004 0179 5252

Peggy Thompson c/o John Alberts Alberts & Rolke One Leadership Square 211 N. Robinson, Suite 304 Oklahoma City, OK 73102

and by First Class Mail to

OFFICE OF THE ATTORNEY GENERAL

Attn: Bryan Neal 313 N.E. 21<sup>st</sup> Street Oklahoma City, OK 73105

**DERRYBERRY & NAIFEH, LLP** 

Attn: Stephen McCaleb 4800 North Lincoln Blvd. Oklahoma City, Oklahoma 73105

OKLAHOMA DEPARTMENT OF CONSUMER CREDIT

4545 North Lincoln Boulevard, Suite 104 Oklahoma City, Oklahoma 73105

Christine McEntire, Legal Secretary
Real Estate Appraiser Board

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