

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

|                               |                        |
|-------------------------------|------------------------|
| IN THE MATTER OF PATSY SPRAY, | )                      |
| RESPONDENT,                   | )                      |
|                               | ) Complaint No. 05-056 |
| Disciplinary Hearing.         | )                      |

**CONSENT ORDER**

COME NOW the Oklahoma Real Estate Appraiser Board, by and through the Board Prosecutor, Sue Wycoff, and the Respondent, Patsy Spray, represented by Glen Devoll, and as evidenced by the signatures below, enter into this Consent Order in lieu of a formal administrative hearing in Case Number 05-056.

The Respondent Spray and the Board agree to the following Agreed Findings of Fact, Conclusions of Law and Agreed Settlement. The Respondent has been advised of her rights to contest the allegations against her, to cross-examine witnesses, and to present witnesses and evidence in her defense. The Respondent hereby knowingly and voluntarily waives those rights.

**JURISDICTION**

1. The Board has jurisdiction in this matter pursuant to the provisions of the Oklahoma Real Estate Appraisers Act, Title 59 Oklahoma Statutes, Sections 858-700 et seq.

2. The proceedings in this matter were conducted pursuant to the Oklahoma Real Estate Appraisers Act and the Oklahoma Administrative Procedures Act, Title 75 Oklahoma Statutes Sections 301 et seq.

## AGREED FINDINGS OF FACT

The Board and Respondent Spray agree to the following Agreed Findings of Fact in settlement of this matter:

1. That on or about February 10, 2004 and November 15, 2004, Respondent developed appraisals and wrote appraisal reports for the property located at 2421 Rockwood Road, Enid, Oklahoma.
2. That Respondent's February, 2004 report valued the property at \$440,000.00, using four comparable sales.
3. That the property sold in July, 2004 for \$340,000.00 after being on the market for several months.
4. That Respondent's November, 2004 report valued the property at \$501,000.00, using three completely different comparable sales.
5. That although Respondent reports some \$60,000.00 worth of updates and improvements to the property after June, 2004, the two appraisal reports do not describe any activity in the real estate market, or sufficient improvements to the property to justify either valuation.
6. Respondent's reports do not describe events that would justify a \$61,000.00 increase in value between February and November nor anything that would justify a \$161,000.00 increase between July, the month of sale, and November, the month of the second report.
7. These omissions and other errors resulted in Respondent providing misleading reports and an inflated value for the subject property notwithstanding that

some ten months after Respondent's latest report the property sold to a Trust for \$520,000.

### **AGREED CONCLUSIONS OF LAW**

Based on the foregoing, the Board and Respondent agree to the following Conclusions of Law in settlement of this matter:

That Respondent Spray's conduct as described above violates the following provisions of law:

1. 59 O.S. §§ 858-723 C. (5), (6), (7), (8) & (13); 858-726 and
2. 59 O.S. § 858-732 A.1.

### **CONSENT**

Respondent Spray, by affixing her signature hereto, acknowledges that:

1. She has been advised to seek the advice of counsel prior to signing this document; and
2. She has the following rights, among others:
  - a. the right to a formal fact finding hearing before a hearing panel;
  - b. the right to 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 her; and
  - f. the right to obtain judicial review of the Board's decision.
3. The Respondent waives all such rights to a formal hearing and to obtain judicial review by means of appeal of this Consent Order;

4. The Respondent stipulates to the facts as set forth above and specifically waives her right to contest these findings in any subsequent proceedings before the Board; and

5. The Respondent consents to the entry of this Order.

### **ORDER**

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law, the Board and Respondent consent to the issuance of the following Order in settlement of this matter:

1. Respondent Spray is found to be in violation of the provisions of 59 O.S. §§ 858-723 C. (5), (6), (7), (8) & (13) and 858-726.

2. Respondent Spray is hereby publicly reprimanded.

3. Respondent Spray is hereby directed to pay to the Real Estate Appraiser Board within sixty (60) days of receiving a fully executed copy of this Consent Order, the sum of two thousand dollars (\$2,000.00) as an administrative fine. This period may be extended for good cause shown with Board approval upon request of the Respondent.

4. Respondent Spray is hereby directed to pay to the Real Estate Appraiser Board within sixty (60) days of receiving a fully executed copy of this Consent Order, the sum of one thousand five hundred dollars (\$1,500.00) in reimbursement of legal expenses incurred by the Board as a result of this prosecution. This period may be extended for good cause shown with Board approval upon request of the Respondent.

5. Respondent is hereby directed to complete corrective education as follows:

- a) a fifteen (15) hour two day tested ethics course;
- b) a fifteen (15) hour residential site valuation and cost approach course.

All courses must be provided by a sponsoring organization of the Appraisal Foundation with certificates of course completion delivered to the Board office. All courses must be completed within ninety (90) days of receiving a fully executed copy of this Consent Order. This period may be extended for good cause shown with Board approval upon request of the Respondent.

Respondent Spray has admitted voluntarily, with knowledge of her rights under law, the allegations contained in this Consent Order. It appears that the foregoing Consent Order is just and equitable in order to safeguard life, health, and property, and to promote the public welfare in the State of Oklahoma.

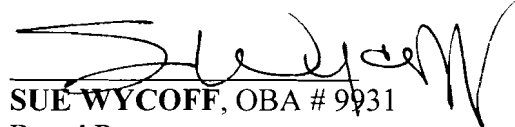
IT IS THEREFORE ORDERED that the Respondents' stipulations above are accepted and the above Consent Order incorporated herein shall be the Order of the Oklahoma Real Estate Appraiser Board.

#### **DISCLOSURE**

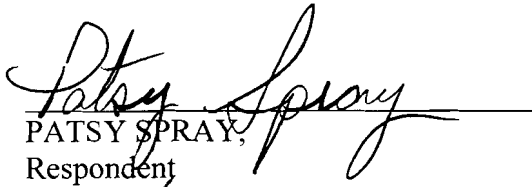
Pursuant to the Oklahoma Open Records Act, Title 51 Oklahoma Statutes Sections 24-A.1 through 24-A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection and copying upon request.

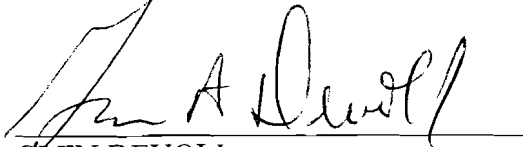
**CERTIFICATION OF BOARD PROSECUTING ATTORNEY**

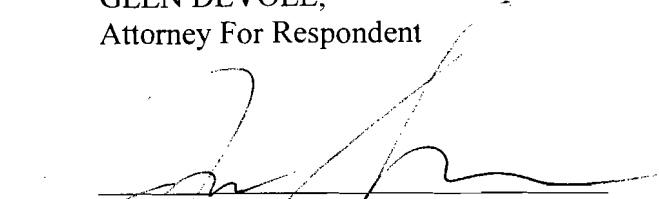
I believe this Consent Order to be in the best interests of the Oklahoma Real Estate Appraiser Board, the State of Oklahoma and the Respondent with regard to the violations as alleged in the Complaint.

  
SUE WYCOFF, OBA # 9931  
Board Prosecutor  
Real Estate Appraiser Board  
2401 NW 23rd. Street, Suite 28  
P.O. Box 53408  
Oklahoma City, OK 73152

Dated this 1<sup>ST</sup> day of JUNE, 2007.

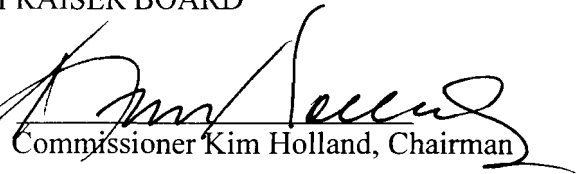
  
PATSY SPRAY,  
Respondent

  
GLEN DEVOLL,  
Attorney For Respondent

  
JOANN STEVENSON  
Counsel to the Real Estate Appraiser Board

OKLAHOMA REAL ESTATE  
APPRAISER BOARD

By:



Commissioner Kim Holland, Chairman

**CERTIFICATE OF MAILING**

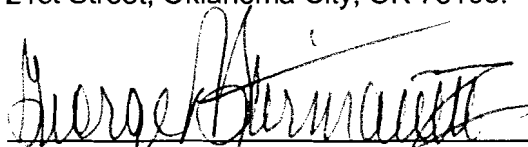
I, George R. Stirman, III, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed by certified mail, return receipt requested, on the 7 th day of June, 2007 to:

Patsy J. Spray  
c/o Glenn A. Devoll  
PO Box 1549  
Enid, OK 73702

**VIA CERTIFIED MAIL**  
**7006 0100 0000 9939 5478**

and that copies were mailed first class mail to:

Jay P. McGlamery, Hearing Panel Member, P. O. Box 300044, Midwest City, OK 73140;  
Donna L. Pollock, Hearing Panel Member, 3501 Rolling Lane, Midwest City, OK 73110;  
James R. Artman, Hearing Panel Member; 4612 Foxbrough Court, Norman, OK 73072;  
James A. Pratt, Alternate Panel Member, 5905 N.W. 52nd, Oklahoma City, OK 73122;  
Sue Wycoff, Moore and Vernier, 301 NW 63rd St, Suite 550, Oklahoma City, OK 73116; and  
Joann Stevenson, Board Counsel, 313 N.E. 21st Street, Oklahoma City, OK 73105.



**GEORGE R. STIRMAN III**, Director  
Real Estate Appraiser Board  
P. O. Box 53408  
Oklahoma City, OK 73152  
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Email: [reab@insurance.state.ok.us](mailto:reab@insurance.state.ok.us)