BEFORE THE REAL ESTATE APPRAISER BOARD STATE OF OKLAHOMA

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IN THE MATTER OF **BILLY M. YORK**, Disciplinary Proceeding,

Complaint No. 06-001

Respondent.)

BOARD'S DECISION ON ACCEPTANCE OF AFFIDAVIT OF VOLUNTARY SURRENDER IN LIEU OF DISCIPLINARY PROCEEDINGS

ON THE 13th day of July 2007, the above numbered and entitled cause came on for hearing before the Oklahoma Real Estate Appraiser Board (the "Board"). The Board was represented by its counsel, Joann Stevenson, Assistant Attorney General. Respondent appeared not.

On the 8th day of June, 2007, Respondent filed with the administrative office of the Board a properly executed Affidavit of Surrender of Appraiser Credential in Lieu of Disciplinary Proceedings (the "Affidavit") dated June 6th, 2007. The contents of the Affidavit are incorporated herein by reference, and the Affidavit is attached hereto as Exhibit A.

The Board, being fully advised in this matter, makes the following Order:

JURISDICTION

1. That the Oklahoma Real Estate Appraiser Board has jurisdiction of this cause, pursuant to the provisions of the Oklahoma Real Estate Appraiser Act, 59 O.S. § 858-700 et seq.

2. That the Respondent is a State Licensed Real Estate Appraiser in the State of Oklahoma holding credential number 11024SLA.

<u>ORDER</u>

The Board accepts the Voluntary Surrender of Appraiser Credential in Lieu of Disciplinary Proceedings under the terms and conditions set forth by paragraphs 1 through 17, inclusive, of the Affidavit which is attached hereto and incorporated herein. IT IS SO ORDERED this 13th day of June, 2007.

LAND, CHAIRPERSON REAL ESTATE APPRAISER BOARD STEVÉNSŐN, ASST ATTY GENERAL

CERTIFICATE OF MAILING

I, George R. Stirman III, hereby certify that a true and correct copy of the above and foregoing BOARD'S DECISION ON ACCEPTANCE OF AFFIDAVIT OF VOLUNTARY SURRENDER IN LIEU OF DISCIPLINARY PROCEEDINGS was mailed by certified mail, return receipt requested, on the *formation of July, 2007 to:*

Billy M. York PO Box 395 Adair, OK 74330

VIA CERTIFIED MAIL 7001 0320 0004 0184 7791

and that copies were mailed by first class mail to:

David W. Atkinson, Hearing Panel Member, P. O. Box 30156, Midwest City, OK 73140;
Randal Boevers, Hearing Panel Member, Route 4, Box 130, Okarche, OK 73762;
Brett M. Brown, Hearing Panel Member, 10409 Major Avenue, Oklahoma City, OK 73120;
C. Harley Bradshaw, Alternate Panel Member, 2533 N.W. 31st, Oklahoma City, OK 73112;
Stephen L. McCaleb, Board Prosecutor, 4800 N. Lincoln Blvd., Oklahoma City, OK 73105; and Joann Stevenson, Board Counsel, 313 N. E. 21st Street, Oklahoma City, OK 73105.

R. STIRMA rector

Real Estate Appraiser Board PO Box 53408 Oklahoma City, OK 73152 Telephone: (405) 521-6636 Facsimile: (405) 522-6909

06/05 07 16:20 FAX 4055286462

DERRYBERRY LAW FIRM

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FILED

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Real Estate Appraiser Board

State of Oklahoma



STATE OF OKLAHOMA REAL ESTATE APPRAISER BOARD

Post Office Box 53408 Oklahoma City, Oklahoma 73152-3408

AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL IN LIEU OF DISCIPLINARY PROCEEDINGS

1. I hold an appraisor credential as a (check the appropriate box and enter certificate or license number):

Trainee Appraiser, credential #_____; OR

State Licensed Appraiser, credential # 11024SLA ; OR

Certified Residential Appraiser, credential # _____; OR

- Certified General Appraiser, orgential #_____
- 2. I desire to surrender my appraisel credential.
- 3. I am freely and voluntarily summittering my appraisal credential.
- 4. In surrendering my credential, I am not subject to any duress or coercion.
- I am aware that following grievance(s), investigation(s), and/or board complaint(s) are pending against me (please enter grievance, complaint, end/or control number(s); if there are more than 18 pending matters, complete another affidavit);

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13	14	15	16	17	18

- 6. The contents of the above grievance(s), investigation(s), and/or board complaint(s) and the contents of any investigative or disciplinary files of the above pending grievance(s), investigation(s), and/or board complaint(s) are incorporated herein by reference.
- 7. I am aware that the allegations set forth in the above pending grievance(s), investigation(s), and/or board complaint(s), if proven, would constitute violations of the Oklahoma Real Estate Appraiser Act and/or the rules promulgated pursuant thereto, for which I could subject to be discipline by the Board, up to and including revocation of my appraiser credential.
- 8. I am fully aware of my rights to contest the allegations pending egainst me. These rights include: representation by an attorney at my own expense; the right to a public hearing on any charges or allegations filed; the right to confront and cross-examine witnesses called to testify against me; the right to present evidence on my own behalf; the right to compulsory process to secure attondance of such witnesses; the right to testify on my own behalf; the right to receive written findings of fact and conclusions of law supporting the decision on the merits of a complaint and the right to obtain judicial review of the Board's decision. In exchange for the Board's acceptance of the sumender of my appraiser credential, I voluntarily waive all of these rights.

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- 9. I am aware that surrender of my credential shall not become effective until it has been approved by a majority of the Board
- 10. I acknowledge this affidavit shall be presented to the Board with a recommendation from Board staff at the next available scheduled meeting of the Board.
- Lunderstand that the Board is free to accept or reject my summader of my credential and, if rejected by the Board. a formal disciplinary hearing on the above pending matters may be held.
- 12. I understand that if the surrender is not accepted by the Board, it shall be regarded as null and void. Any edmissions I make in this affidavit will not be regarded as evidence against me in the subsequent disciplinary hearing. I will be free to defend myself and no inferences will be made from my willingness to submit this affidevit.
- 13. I understand and agree that neither the presentation of this affidavit nor the Board's consideration of this affidavit will be deemed to have unfainly or illegelly prejudiced the Board or its individual members and therefore will not be grounds for precluding the Board or any individual Board member from further participation in proceedings related to the matters set forth in this affidavit.
- 14. I understand and agree that should the Board accept my sumender of my appraiser credential that:
 - I cannot be identified as a Trainee, State Licensed, State Certified Residential or State Certified General Appraiser.
 - All reference(s) to certification/licensure must be immediately removed from all letterheads, business cards, appraisal report covers and other printed materials under my reasonable control; and
- 15. My real estate appraiser crudential and pocket card are attached hereto.
- 16. I understand and agree that should the Board accept my surrender of my appraiser credential, I cannot and will not apply for reinstatement for a period of at least five (5) years.
- 17. I further state that (check one):

I do not hold a license, certificate or credential as an appraiser in another jurisdiction.

I do hold a license, certificate or credential as an appraiser in the following jurisdiction(s) (LIST ALL JURISDICTIONS]

Jurisdiction and Certificate or License Number

Jurisdiction and Certificate or License Number

Jurisdiction and Certificate or License Number Jurisdiction and Certificate or License Number FURTHER AFFIANT SAYETH NOT. Signed: individual surrandering credential) k mi nnek in AHOMA STATE OF OKL 22 COUNTY OF _____ Aues Subscribed and swom to before me this _____ day of **20** Oʻ Notary Public My Commission expires: My Commission Number is: 06002623

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State of Oklahoma



Kim Holland, Insurance Commissioner Oklahoma Real Estate Appraiser Board

This is to certify that:

Billy M. York

has complied with the provisions of the Oklahoma Real Estate Appraisers Act to transact business as a **State Licensed** Real Estate Appraiser in the State of Oklahoma.

In Witness Whereof, I have hereunto set my hand and caused the seal of my office to be affixed at the City of Oklahoma City, State of Oklahoma, this 25th day of August A.D. 2005.

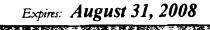
'Kim Holland, Insurance Commissioner Chairperson, Oklahoma Real Estate Appraiser Board

Members, Oklahoma Real Estate Appraiser Board

Jatti Jerèn _

Jonas Barker

James W. Hayt



Oklahoma Appraiser Number: 11024SLA

