

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

In the Matter of **KEVIN F. BRODERICK** and)
 JAMES T. SHEPARD)
)
 Respondents.)

Complaint #05-118

**BOARD’S DECISION ON DISCIPLINARY
HEARING PANEL RECOMMENDATION**

ON THE 7th day of September, 2007, the above numbered and entitled cause came on for hearing before the Oklahoma Real Estate Appraiser Board (the "Board"). The Disciplinary Hearing Panel (the "Panel") making the recommendation consisted of three members, Richard E. Grace, Gregory L. Goodpasture, and John R. Gurley. Richard E. Grace was elected and served as Hearing Panel Chairman. Said panel was represented by the Board’s counsel, Assistant Attorney General Joann Stevenson. The case was prosecuted by the Board’s prosecutor, Stephen L. McCaleb. Respondents Broderick and Shepard appeared not after having been mailed a copy of the Recommendation of the Hearing Panel by certified mail with return receipt requested pursuant to the Oklahoma Real Estate Appraiser Act, 59 O.S. § 858-718, and the Oklahoma Administrative Procedures Act, 75 O.S. §§250-323.

The Board, being fully advised in the matter, makes the following Order adopting in part and amending in part the Panel’s Recommendation:

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 proceedings were conducted in accordance with the Oklahoma Real Estate Appraiser Act, 59 O.S. § 858-700 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S., § 301-323.

3. That the Respondent James T. Shepard is a State Licensed Real Estate Appraiser in the State of Oklahoma holding credential number 11758SLA and that Respondent Kevin F. Broderick is a State Licensed Real Estate Appraiser holding credential number 12629SLA.

FINDINGS OF FACT

The Board adopts in full the Panel's finding that it was not proven by clear and convincing evidence that there was actionable conduct by the Respondents in this matter.

CONCLUSIONS OF LAW

That the Board adopts in full the Panel's conclusion that it was not proven by clear and convincing evidence that Respondents' conduct was in violation of the Oklahoma Certified Real Estate Appraisers Act.

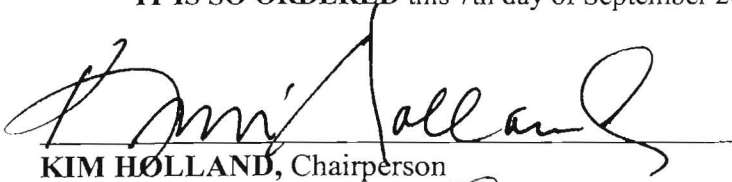
FINAL ORDER

The Board, having adopted the Findings of Fact and Conclusions of Law as set forth above, sets forth the following final order.

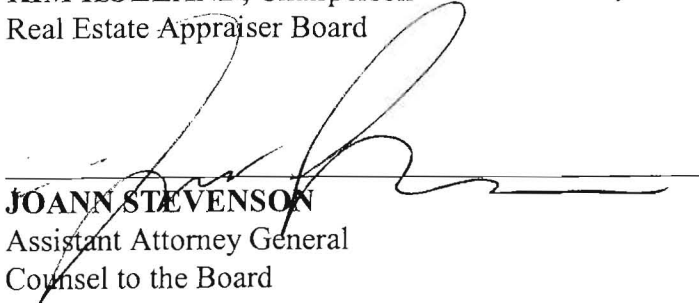
That this complaint be dismissed.

THE BOARD WISHES TO ADVISE THE RESPONDENT THAT HE HAS THIRTY (30) DAYS TO APPEAL THIS ORDER WITH THE APPROPRIATE DISTRICT COURT.

IT IS SO ORDERED this 7th day of September 2007.



KIM HOLLAND, Chairperson
Real Estate Appraiser Board



JOANN STEVENSON
Assistant Attorney General
Counsel to the Board



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 Disciplinary Hearing Panel Recommendation was mailed by certified mail, return receipt requested, on the 21st day of September 2007 to:

Kevin Broderick
c/o Terry Stokes
McAlister, McAlister, McKinnis & Tuggle
P.C., PO Box 1569
Edmond, OK 73083;

Via Certified Mail
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Kevin F. Broderick
322 Butterfield Trail
Edmond, OK 73003

Via Certified Mail
7001 0320 0004 0179 6259

James T. Shepard
2008 Brookwood Place
Edmond, OK 73034;

Via Certified Mail
7001 0320 0004 0179 6266

OFFICE OF THE ATTORNEY GENERAL

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