

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

In the Matter of Sheri Lovin.) Complaint #06-028
)
Respondent.)

CONSENT ORDER

COMES NOW the Oklahoma Real Estate Appraiser Board ("OREAB"), by and through the Board Prosecutor, Stephen L. McCaleb, and the Respondent Sheri Lovin, and enter into this Consent Order in lieu of formal administrative hearings pursuant to 59 OKLA. STAT. §858-700, et seq. and OAC 600:15-1-1 et seq.

AGREED FINDINGS OF FACT

For the purposes of this Consent Order, the following facts are hereby stipulated to by the parties and accepted and adopted by the OREAB:

1. In April of 2004, Respondent employed Jamie L. Parker ("Parker") to assist her in conducting appraisals after Parker obtained her trainee license in February of 2004. Parker was under Respondent's employ thru February of 2005.

2. While under Respondent's employ, Respondent instructed Parker to assist her in inspecting, researching and compiling appraisals. Respondent instructed her employees to make adjustments on appraisals in order to obtain the value requested by the client. Respondent signed the appraisals prepared by her employees. Said appraisals were purportedly performed in conformity with the Uniform Standards of Professional Appraisal Practice.

AGREED CONCLUSIONS OF LAW

1. That Respondent has violated 59 O.S. § 858-723(A)(5): "An act or omission involving misrepresentation with the intent to substantially benefit the certificate holder.

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

- A) The Conduct and Management Sections of the Uniform Standards of Professional Appraisal Practice Ethics Rule;
- B) The Competency Rule of the Uniform Standards of Professional Appraisal Practice;
- C) Standards Rule 1 of the Uniform Standards of Professional Appraisal Practice;
- D) Standards Rule 1-1 of the Uniform Standards of Professional Appraisal Practice;
- E) Standards Rule 1-2 of the Uniform Standards of Professional Appraisal Practice;
- F) Standards Rule 1-3 of the Uniform Standards of Professional Appraisal Practice;
- G) Standards Rule 1-4 of the Uniform Standards of Professional Appraisal Practice;
- H) Standards Rule 1-6 of the Uniform Standards of Professional Appraisal Practice;
- J) Standards Rule 2 of the Uniform Standards of Professional Appraisal Practice;
- K) Standards Rule 2-1 of the Uniform Standards of Professional Appraisal Practice; and
- L) Standards Rule 2-2 of the Uniform Standards of Professional Appraisal Practice.

3. That Respondent has violated 59 O.S. § 858-723(A)(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(A)(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(A)(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."

6. That Respondent has violated 59 O.S. § 858-723(A)(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 his signature hereto, acknowledges that:

1. Respondent has received advice of counsel prior to signing this document;
2. That Respondent possesses the following rights among others:
 - a. The right to a formal fact finding hearing before a disciplinary panel of the OREAB;
 - b. The right to a reasonable notice of said hearing;
 - c. The right to have legal representation;
 - 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 final decision of the OREAB.
3. The Respondent specifically waives her right to contest the foregoing Findings as

stated herein in any subsequent proceedings before the OREAB and to appeal such matters to the District Court.

4. The Respondent consents to the entry of this Order affecting her professional practice of real estate appraising in the State of Oklahoma.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law:

1. The OREAB hereby suspends Respondent's appraiser credential for twelve (12) months. Respondent agrees that she will, immediately upon receipt of a fully executed copy of this Consent Order, relinquish her appraiser credential and pocket card to the administrative office of the OREAB, and will then and henceforth immediately cease practicing as an appraiser, and will not for a period of twelve (12) months thereafter perform, assist with or in any way participate in the performance or preparation of any real property appraisals.

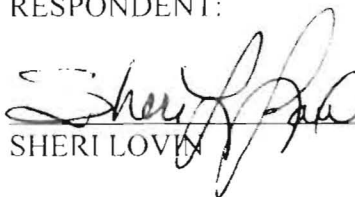
2. Respondent agrees to pay a fine of five hundred dollars and no cents (\$500.00).

3. Respondent agrees to successfully complete corrective education, from one of the Appraisal Foundation sponsors, in the form of class 622 – Advanced Residential Applications and Case Studies. Proof of course completion must be filed with the administrative office of the Board prior to the expiration of suspension. Failure to do so will result in the extension of the suspension until proof of completion is filed.

4. Respondent agrees that failure to comply with any of the terms and conditions of this Consent Order will require Respondent's appearance before the OREAB to show cause why Respondent's suspension should not be extended for an additional twelve (12) months.

5. OREAB agrees that upon the expiration of the twelve (12) month suspension period and Respondent's completion of the education requirements and the payment of the five hundred dollar (\$500.00) fine, her real estate appraiser's license will be immediately re-instated.

RESPONDENT:


SHERI LOVIN 6/20/07
DATE


RACHEL LAWRENCE MOR OBA#11400
Attorney for Respondent *June 4, 2008*

CERTIFICATION OF OREAB PROSECUTING ATTORNEY

The undersigned believes this Consent Order to be in the best interests of the OREAB, the State of Oklahoma and the Respondent with regard to violations alleged in the formal complaint.



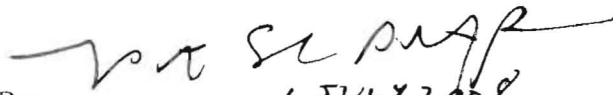
STEPHEN L. McCALEB, OBA #15469
Board Prosecutor
4800 N. Lincoln Blvd.
Oklahoma City, OK 73105
Telephone: (405) 528-6569
Fax: (405) 528-6462

6-4-08
DATE

IT IS SO ORDERED on this ___ day of June, 2008.


KIM HOLLAND, Chairwoman
Real Estate Appraiser Board

OKLAHOMA REAL ESTATE
APPRAISER BOARD


1 JULY 2008

By: _____
PRESTON DRAPER, OBA No. 19797
Assistant Attorney General
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 522-4414

CERTIFICATE OF MAILING

I, Christine McEntire hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed postage prepaid by certified mail with return receipt requested on this 7 day of July, 2008 to:

Sheri Lovin
c/o **RACHEL LAWRENCE MOR**
Woska & Swim
3037 NW 63rd Street, Suite 251
Oklahoma City, Oklahoma 73116

CERTIFIED NUMBER
7002 2410 0001 7592 8387

and that copies were mailed to:

OFFICE OF THE ATTORNEY GENERAL
Attn: Preston Draper
313 N.E. 21st Street
Oklahoma City, OK 73105

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


CHRISTINE MCENTIRE