

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

In the Matter of **GORDON A. COOK** and        )  
                          **KARI B. SLOAN,**                                )  
RESPONDENTS,    )  
                          Disciplinary Hearing.                        )

Complaint No. 07-003

**BOARD'S DECISION ON DISCIPLINARY  
HEARING PANEL RECOMMENDATION AS TO GORDON COOK**

ON THE 19th day of May, 2008, the above numbered and entitled cause came on for hearing. The Oklahoma Real Estate Appraiser Board (the Board) was represented by a Disciplinary Hearing Panel consisting of two members, Carl S. Schneider and H. E. Ted Smith. Carl S. Schneider was elected and served as Hearing Panel Chairman. A third panel member, Jeanette S. Snovel, informed Board staff that she had become ill and was unable to serve. By agreement of both Petitioner and Respondent, after Respondent was informed of his right to have his case heard by a three-member panel and that the case would be continued to a different date to allow him to have such a panel if he so desired, the hearing proceeded with the remaining two appraiser hearing officers constituting a quorum. Said panel was represented by the Board's attorney, Assistant Attorney General Preston Draper. The case was prosecuted by the Board's prosecutor, Sue Wycoff. The Respondent, Kari B. Sloan appeared, represented by counsel, Kim Ritchie, and the Respondent Gordon A. Cook appeared pro-se after having been mailed a copy of the Notice of Disciplinary Proceedings and Appointment of 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. As a preliminary matter, Ms. Wycoff stated, with Mr. Ritchie's concurrence, that an agreed settlement of this matter had been reached with respect to the Respondent Kari B. Sloan and accordingly, that the remainder of the hearing was with respect to the Respondent Gordon A. Cook.

The Board, being fully advised in the matter, making the following Order adopting 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 Respondent Gordon Cook is a licensed real estate appraiser in the State of Oklahoma, holding Oklahoma Appraiser license number 12631 SLA, first issued on May 11, 2005.

### **FINDINGS OF FACT**

The hearing panel finds that the findings of fact as set forth in the subsequent paragraphs were proved by clear and convincing evidence:

1. That on or about October 9, 2006, Respondent Sloan appraised the property located at 3225 SW 48<sup>th</sup> Street, Oklahoma City, Oklahoma.

2. That Respondent Sloan signed a report of that appraisal on December 12, 2006.

3. That Respondent Cook signed a report of that appraisal on November 1, 2006.

4. That Respondent Sloan signed the appraisal report as a trainee appraiser, with Gordon Cook signing as her supervisor.

5. That Respondent Cook is not qualified to serve as a supervisor for the following reasons:

a. he admits he had not been a licensed appraiser for at least three years at the time of the appraisal in question;

b. he did not have on file at the Board office an REA Form 8 establishing a supervisor-trainee relationship between himself and Respondent Sloan;

c. he admits he had been disciplined by the Board or was subject to such discipline within two years prior to the appraisal in question in a manner that affected his legal ability to engage in appraisal practice in that his license was suspended for 45 days in 2006; Respondent Cook admits he had signed a consent order regarding discipline by the Board on October 4, 2006, and was suspended by the Board pursuant to that consent order effective November 20, 2006.

d. he had been disciplined by the Board and had not subsequently obtained Board permission to serve as a supervisor.

6. That Respondent Cook signed the Appraiser's Certification page on the October 9, 2006, appraisal report as Supervisory Appraiser, thus assuming ultimate responsibility for the appraisal and the appraisal report.

7. That Respondent Cook reported that he did inspect the exterior of the property from the street.

### **CONCLUSIONS OF LAW**

That the Board adopts in full the Panel's conclusion that it was proven by clear and convincing evidence that Respondent's conduct was in violation of the following:

That such conduct by the Respondent is in violation of:

1. OAC 600:10-1-16 (a), (e)(1), (e)(3), and (g).

### **FINAL ORDER**

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

1. Respondent's appraisal credential be **SUSPENDED** for a period of not less than **SIX (6) MONTHS** from the date any order of the Board adopting this recommendation. Such suspension shall be in accordance with Board Rule OAC 600:15-1-15.

2. That Respondent is permanently prohibited from being recognized by the Board as a supervising appraiser under Board Rule OAC 600:10-1-16.

3. Respondent's suspension shall not be lifted until Respondent provides evidence to the Board that he has successfully completed corrective education as follows:


- **FIFTEEN (15) HOUR** National USPAP course (Course 600);
- **FIFTEEN (15) HOURS** of Residential Report Writing and Case Studies (Course 614); and
- **EIGHT (8) HOURS** Business Procedures and Ethics (Course APP004-760).

All courses must be completed with copies of the certificates of course completion transmitted to the administrative office of the Board within **SIX (6) MONTHS** from the date of any Board order adopting this recommendation. The courses must be tested, must be offered by one of the sponsoring organizations of The Appraisal Foundation, and must be live courses, attended in-person by Respondent (not distance, web-based, and/or correspondence courses).

4. Respondent shall be required to pay all Board costs relating to the prosecution of this case. Costs shall be summarized and shall be transmitted to Respondent with the final Board order. Respondent shall have sixty (60) days from the date of receipt of a copy of the final order to pay the costs and failure to pay the costs shall result in immediate revocation of Respondent's credential without further action by the Board.


**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 23 day of July, 2008.



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**KIM HOLLAND**, Chairperson  
Real Estate Appraiser Board



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**PRESTON DRAPER**  
Assistant Attorney General  
Counsel to the Board

**CERTIFICATE OF MAILING**

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Board's Decision on Disciplinary Hearing Panel Recommendations as to Gordon Cook was mailed postage prepaid by certified mail with return receipt requested on this 24<sup>th</sup> day of July, 2008 to:

**Gordon Cook**  
8408 Meadow Lark Lane  
Oklahoma City, Oklahoma 73132

**CERTIFIED NUMBER**  
7002 2410 0001 7592 8509

and that copies were mailed to:

**K. Ellis Ritchie**  
P.O. Box 246  
Pryor, Oklahoma 74362

**Carl S. Schneider, Panel Member**  
6737 S. Peoria, Suite B114  
Tulsa, Oklahoma 74136

**H.E. "Ted" Smith, Panel Member**  
P.O. Box 362  
Stillwater, Oklahoma 74834

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Christine M. McEntire