

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

IN THE MATTER OF GORDON COOK)
& KARI SLOAN,)
 RESPONDENTS,)
) Complaint No. 07-003
Disciplinary Hearing.)

**CONSENT ORDER AS TO
RESPONDENT KARI SLOAN INDIVIDUALLY**

COME NOW the Oklahoma Real Estate Appraiser Board, by and through the Prosecuting Attorney, Sue Wycoff, and the Respondent Kari Sloan, by and through her counsel, K. Ellis Ritchie, and enter into this Consent Order in lieu of a formal administrative hearing pursuant to Oklahoma Statutes Title 59 Sections 858-700 *et seq.* and Oklahoma Administrative Code 600:10-1-1 *et seq.*

JURISDICTION

The Board has jurisdiction in this matter pursuant to the provisions of the Oklahoma Real Estate Appraisers Act, Title 59 Oklahoma Statutes Section 8585-700 *et seq.*

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

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

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

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

3. That the report contains many errors of omission and commission, including, for example: describing the bathroom as completely updated when it was not; describing the house as being in average condition even though the exterior was badly in need of paint, the carport trim had never been painted and was water damaged, and the outside paneling of the enclosed patio was water damaged; selecting inappropriate comparables that were superior to the subject and not fully describing the amenities or enhanced condition of the comparables or discussing the impact the amenities and superior condition might have had on their price.

4. These and other errors resulted in Respondent giving the property an inflated value.

5. In addition, Respondent Sloan signed the appraisal report as a trainee appraiser, and Gordon Cook signed it as her supervisor. Mr. Cook did not meet the minimum qualifications for serving as a supervisor as set out in the Rules of the Oklahoma Real Estate Appraiser Board, and Ms. Sloan knew or should have known this.

AGREED CONCLUSIONS OF LAW

Based on the foregoing, the Board and Respondent agree to the following Conclusions of Law:

1. That the Respondent hereby expressly waives any objections to the timeliness of the notification of the complaint, the specificity of the charge, and the procedures of the Board.

2. That the Findings of Fact stipulated to by the Respondent constitute a violation of the Statutes and Rules Governing Real Estate Appraisers, specifically:

1. 59 O.S. § 858-723(C)~~(5)~~(7), and (8).
2. 59 O.S. §858-723(C)(6) by violation of:
 - a. Standard 1 and Standards Rules 1-1(a), 1-1(b), 1-1(c), 1-2(e)(i), 1-3(b), 1-4(a), USPAP 2006 Edition.
 - b. Standard 2 and Standards Rules 2-1(a), 2-2(b)iii, USPAP 2006 Edition.
 - c. Ethics Rule, Conduct Section. USPAP 2006 Edition.
3. 59 O.S. §858-723(C)(13) by violation of 59 O.S. § 858-732(A)(1).
4. 59 O.S. § 858-723 (C)(9) by violation of OAC 600:10-1-16 (a).

CONSENT

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

1. She has been advised of her right to seek the advice of counsel prior to signing this document, and
2. That Respondent possesses the following rights among others:
 - a. the right to a formal fact finding hearing before a disciplinary panel of the Board;
 - b. the right to a 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 present evidence on her own behalf;

g. the right to receive written findings of fact and conclusions of law supporting the final decision of the Board; and

h. the right to obtain judicial review of the final decision of the Board.

3. 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 to appeal this matter 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 and Consent, it is hereby ordered that :

1. Within ninety (90) days of receipt of a fully executed copy of this Order, Respondent shall successfully complete the following corrective education courses: #613 Residential Sales Comparison and Income Approaches, and #614 Residential Report Writing and Case Studies, and shall furnish a certificate of course completion to the administrative office of the Board. These courses must be taken from a provider included on the list of course providers approved by the Board, and they may not be used as continuing education and may not be taken online, as self-study or by any other form of distance learning.

2. If Respondent does not submit certificates of course completion in accordance with the above and foregoing requirements, the Director shall, on behalf of the Board, immediately suspend Respondent's appraiser credential, provide notification to Respondent and

to the Appraisal Subcommittee for inclusion on the National Registry and issue a notice and order directing Respondent to appear and show cause why she should not be further disciplined.

3. Respondent 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.

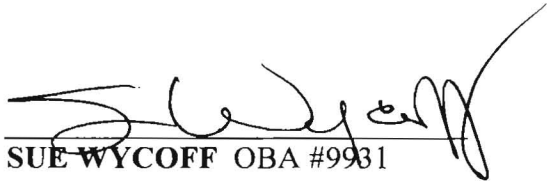
IT IS THEREFORE ORDERED that the Respondent's stipulations above are accepted and this Consent Order shall be the Order of the Oklahoma Real Estate Appraiser Board.

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

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.

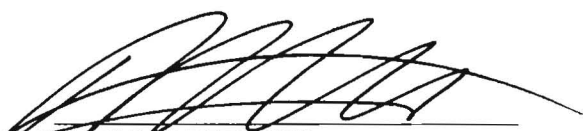


SUE WYCOFF OBA #9931
Board Prosecutor
Real Estate Appraiser Board
2401 NW 23rd. Street, Suite 28
P.O. Box 53408
Oklahoma City OK 73152

Dated this 8 day of July, 2008.



KARI SLOAN
Respondent

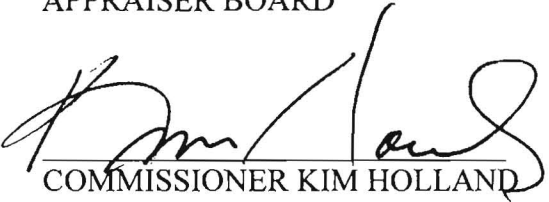


K. ELLIS RITCHIE
Counsel for Respondent



PRESTON DRAPER
Assistant Attorney General
Counsel to the Real Estate Appraiser Board

OKLAHOMA REAL ESTATE
APPRAISER BOARD

A handwritten signature in black ink, appearing to read 'Kim Holland', written over a horizontal line.

COMMISSIONER KIM HOLLAND
Chairwoman

Sloan consent rev2.doc

CERTIFICATE OF MAILING

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Consent Order as to Respondent Kari Sloan, Individually, was served by Certified Mail, Return Receipt Requested on this 24th day of July 2008 to:

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

7002 2410 0001 7592 8530

and that copies were mailed to:

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

MOORE & VERNIER
Attn: Sue Wycoff
301 N.W. 63rd Street, Suite 550
Oklahoma City, Oklahoma 73116

Gordon Cook
8408 Meadow Lark Lane
Oklahoma City, Oklahoma 73132


Christine McEntire