

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

IN THE MATTER OF DIANE L. SCHUMACHER,     )  
  )  
  )     COMPLAINT NO. 05-091  
  )  
  )     Respondent.

**BOARD’S ORDER  
MODIFYING ORDER 08-007**

On the 10th day of April, 2009 the above-numbered and entitled cause came on for hearing before the Oklahoma Real Estate Appraiser Board (the “Board”) pursuant to Respondent’s written request to modify Board Order 08-007, effective March 7, 2008. Prosecutor, Stephen McCaleb, appeared on behalf of the Real Estate Appraiser Board. Respondent, Diane L. Schumacher, appeared not.

The Board, after considering all evidence and argument, and being fully advised thereto, hereby makes the following Findings of Fact:

This Order is issued pursuant to the Oklahoma Real Estate Appraiser Act, Title 59 Section 858-700 *et seq.* of the Oklahoma Statutes.

**FINDINGS OF FACT**

After hearing all the evidence presented and upon due consideration thereof, the Board finds by clear and convincing evidence that:

1. Respondent, Diane L. Schumacher, is a State Licensed Real Estate Appraiser in the State of Oklahoma, holding credential number 10937SLA and was first credentialed with the Oklahoma Real Estate Appraiser Board on June 2, 1993.
2. On March 7, 2008, the Board approved Order 08-007 as to Complaint No. 05-091, ordering Ms. Schumacher to successfully complete, as corrective education from a sponsoring organization of the Appraisal Foundation, A.) The tested 15-hour National USPAP course; and B.) an ANSI course on measuring gross living area. The Order provided that Ms. Schumacher would have three (3) months from the date of the Board Order to complete the corrective education.

3. On June 9, 2008 after Respondent failed to meet the conditions of Board Order 08-007 her appraiser credential was suspended.

4. On June 30, 2008 the Respondent's appraiser credential expired without Ms. Schumacher paying her annual fees.

5. On or about June 30, 2008 Board staff received course completion certificates from the Respondent for both courses, which were taken at Tulsa Technology Center and the Academy of Real Estate respectively.

6. On July 1, 2008 Board staff sent correspondence to Ms. Schumacher advising her that the certificates of course completion do not meet the conditions specified by the Final Order in Board Order 08-007 in that Tulsa Technology Center and the Academy of Real Estate are not sponsoring organizations of The Appraisal Foundation, and advising her that her suspension remains in effect.

7. On January 30, 2009 Board staff received correspondence from Ms. Schumacher in which she requested that the suspension on her license be lifted due to economic hardship and her belief that she substantially completed the request of the Board in taking the 15-Hour National USPAP course and an ANSI course, albeit not from a sponsoring organization of the Appraisal Foundation.

#### **CONCLUSIONS OF LAW**

The Board has jurisdiction to hear this matter pursuant to Title 59 Sections 858-700 *et seq.* of the Oklahoma Statutes.

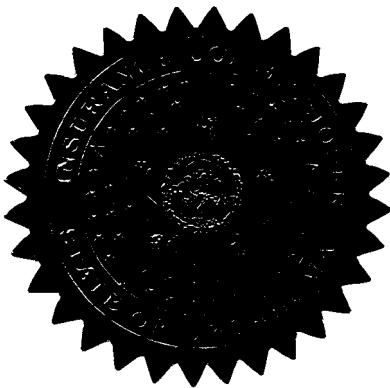
The Board concludes that Respondent violated an Order of the Board, in violation of the Real Estate Appraiser Act, and that her suspension was made with just cause.

**ORDER**

IT IS THEREFORE ORDERED by the Oklahoma Real Estate Appraiser Board that Respondent's ten (10) month suspension is now lifted.

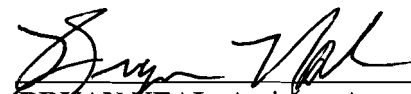
IT IS FURTHER ORDERED that Respondent's credential will be reinstated upon payment of her annual licensing fees totaling \$325.00 and a reinstatement fee in the amount of \$50.00, which were due June 30, 2008 and course completion certificates showing an additional 14 hours of continuing education as mandated by the Appraiser Qualification Board, Generic Education Criteria F(3).

IT IS SO ORDERED on this 10 day of April, 2009



  
KIM HOLLAND, Chairperson  
Real Estate Appraiser Board

**APPROVED AS TO FORM**

  
BRYAN NEAL, Assistant Attorney General

**CERTIFICATE OF MAILING**

I, Christine McEntire, hereby certify that a true and correct copy of the above and foregoing Board Order Modifying Board Order 08-007 was mailed postage prepaid by certified mail with return receipt requested on this 16 day of April, 2009 to:

**DIANE SCHUMACHER**  
130 W. 8th  
Bristow, Oklahoma 74010

**CERTIFIED MAIL RECEIPT**  
7008 3230 0000 8455 1932

and that copies were mailed to:

**DERRYBERRY & NAIFEH, LLP**  
Attn: Stephen McCaleb  
4800 North Lincoln Blvd.  
Oklahoma City, Oklahoma 73105

**ATTORNEY GENERAL'S OFFICE**  
Attn: Bryan Neal  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 73105

  
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**CHRISTINE M. McENTIRE**, Legal Secretary