

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

IN THE MATTER OF REBECCA D. SEELEY,)
11776SLA)

COMPLAINT NO. 08-047

BOARD ORDER

NOW on this 8th day of January, 2010 the above-numbered and entitled cause came on for hearing before the Oklahoma Real Estate Appraiser Board (the "Board") pursuant to the Board's written Notice to Appear and Order to Show Cause issued November 24, 2009 together with the Allegations of Error stating the matters asserted in detail, both of which were mailed to the Respondent, Rebecca D. Seeley, by certified mail, return receipt requested, on November 25, 2009, copies of which are on file herein. Said Notice issued by reason of violations of the February 13, 2009 Consent Order the Board entered into with Respondent, Rebecca D. Seeley. Sue Wycoff, Board prosecutor, appeared and offered oral argument; Respondent, Rebecca D. Seeley, who was not represented by counsel, appeared not, after having been served proper notice by certified mail, at her last-known business and/or residence address, for which the return receipt is on file.

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

FINDINGS OF FACT

After hearing and reviewing all the evidence presented and on file herein, including oral argument from the Board's prosecutor, and upon due consideration thereof, the Board finds by clear and convincing evidence that:

1. Respondent, Rebecca D. Seeley, is a State Licensed Appraiser in the State of Oklahoma, holding license number 11776SLA issued by the Oklahoma Real Estate Appraiser Board, and was first credentialed on December 5, 1997. The last-known business and/or residence address of the Respondent is 1815 Duxsford Court, Edmond, Oklahoma 73034.

2. Respondent, Rebecca D. Seeley, has been previously disciplined by the Board in Complaint 02-094 which was resolved by Consent Order 04-002. The issues contained within Complaint 02-094 are very similar to those set forth in the Complaint at hand.

3. On February 13, 2009 the Board approved Consent Order 09-005 as to Complaint 08-047. Relevant portions of the final Order state:

(2). During that twelve month period, Respondent will submit to the Board's Administrative office every month, by no later than the 5th calendar day of the month, a complete log of her appraisal assignments completed during the prior month;

(3). The Board or its designee(s) may select any assignment(s) listed on the log to review and Respondent will, within five working days after receipt of the request, tender the work file to the Board's administrative office;

(4). If any of the submitted files are found to be not in compliance with USPAP, the Board will take further action as it deems appropriate up to and including revocation of Respondent's license upon notice to Respondent.

4. Between March 5, 2009 and November 5, 2009 multiple reports were requested from and submitted by Rebecca D. Seeley and were found to be not in compliance with USPAP. Specifically, appraisal reports for 37 E. 14th Street in Edmond, Oklahoma and 2213 N.W. 194th Terrace in Edmond, Oklahoma were reviewed by certified appraiser members of the Board's Standards and Disciplinary Committee and were found to be substantially non-compliant with USPAP.

5. Respondent, Rebecca D. Seeley, had more than thirty (30) days notice and an opportunity for a hearing as verified by her receipt on November 28, 2009 of said Notice to Appear and Order to Show Cause together with the Allegations of Error, evidenced by the United States Postal Service Track and Confirm Service Search Results submitted herein as

Exhibit 1, which receipt number matches the certified mail number of the Certificate of Mailing attached to said Notice and said Allegations of Error.

6. Respondent, Rebecca D. Seeley certified and agreed in her appraisal reports on both 37 E. 14th Street in Edmond, Oklahoma and 2213 N.W. 194th Terrace in Edmond, Oklahoma, that she performed each appraisal in compliance with the requirements of USPAP, complete copies of which appraisal reports were submitted to the Board and are on file herein.

7. The appraisal reports on 37 E. 14th Street in Edmond, Oklahoma and 2213 N.W. 194th Terrace in Edmond, Oklahoma, as submitted by the Respondent, Rebecca D. Seeley, were each sloppy, incompetent and unreliable appraisal reports, as alleged in the Allegations of Error and adopted herein by reference.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter pursuant to 59 O.S. 858-700 et seq.

2. The Board shall notify an appraiser at least thirty (30) days prior to the date set for hearing in writing of any charges made and shall afford the appraiser an opportunity to be heard in person or by counsel before revoking any certification pursuant to 59 O.S. 858-724 and Article II of the Administrative Procedures Act.

3. Submission of an appraisal report(s) that is sloppy, incompetent and unreliable is a violation of and substantially non-compliant with the following sections of the current edition of USPAP:

- a. Competency Rule;
- b. Standard 1 and Standards Rule 1-1(a) and (c); Standards Rule 1-4(b)(i);

and

- c. Standard 2 and Standards Rule 2-1(a); Standards Rule 2-2(iii) and (viii);

and a violation of 59 O.S. Section 858-726.

4. The Board, after notice and opportunity for a hearing, pursuant to Article II of the Administrative Procedures Act, may issue an Order imposing penalties, including, but not limited to, revocation of the appraisal license, whenever the Board finds by clear and convincing evidence, that a license holder has violated any provision of the Oklahoma Certified Real Estate Appraisers Act pursuant to 59 O.S. Section 858-723.

ORDER

IT IS THEREFORE ORDERED by the Oklahoma Real Estate Appraiser Board that Rebecca D. Seeley's appraisal license, 11776SLA, is hereby revoked.

ORDERED THIS 8TH day of January, 2010.



A handwritten signature in cursive script, appearing to read "Kim Holland", written over a horizontal line.

KIM HOLLAND, Chairperson
Real Estate Appraiser Board

APPROVED AS TO FORM

A handwritten signature in cursive script, appearing to read "Bryan Neal", written over a horizontal line.

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 was mailed postage prepaid by certified mail with return receipt requested on this 24 day of January, 2010 to:

Rebecca Seeley
1815 Duxsford Court
Edmond, Oklahoma 73034

7008 3230 0000 8455 4032

and that copies were mailed to:

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

MOORE & VERNIER
Attn: Sue Wycoff
301 N.W. Expressway, Suite 550
Oklahoma City, OK 73116



Christine McEntire