

2. The Respondent filed the properly executed Affidavit dated November 5, 2010 with the administrative office of the Board on November 9, 2010, as an offer to settle the Complaint herein.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this cause pursuant to the provisions of the Act.
2. The Board is authorized pursuant to 75 O.S. 309 and OAC 600:15-1-14 to informally dispose of individual proceedings including the Complaints herein by stipulation, agreed settlement, consent order or default, which the Board determines are not precluded by law in this cause.

ORDER

The Board accepts the Affidavit of Voluntary Surrender of Appraiser Credential in Lieu of Disciplinary Proceedings under the terms and conditions set forth by paragraphs 1 through 17, inclusive, of the Affidavit as an agreed settlement of the Complaints herein.

IT IS SO ORDERED this 3rd day of December, 2010.



SHANNON N. GABBERT, Board Secretary
REAL ESTATE APPRAISER BOARD

APPROVED AS TO FORM:



BRYAN NEAL, ASST ATTY GENERAL



CERTIFICATE OF MAILING

I, Christine M. McEntire, hereby certify that a true and correct copy of the above and foregoing Board's Decision on Acceptance of Affidavit of Voluntary Surrender in Lieu of Disciplinary Proceedings was mailed by certified mail, return receipt requested, on the 8 day of December, 2010 to:

Carl W. Wiens
3309 N. Holloway
Bethany, Oklahoma 73008

7009 2820 0001 5683 8182

and that copies were mailed by first class mail to:

OFFICE OF THE ATTORNEY GENERAL

Attn: Bryan Neal
313 N.E. 21st Street
Oklahoma City, OK 73105

DERRYBERRY & NAIFEH, LLP

Attn: Stephen McCaleb
4800 North Lincoln Blvd.
Oklahoma City, Oklahoma 73105



Christine M. McEntire

FILED

NOV 09 2010

Real Estate Appraiser Board
State of Oklahoma



**STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD**

Post Office Box 53408
Oklahoma City, Oklahoma 73152-3408

**AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL
IN LIEU OF DISCIPLINARY PROCEEDINGS**

I, Carl W. Wiens, being of lawful age, swear and affirm under penalty of perjury, that:
(Print full name of individual surrendering credential)

1. I hold an appraiser credential as a (check the appropriate box and enter certificate or license number):

State Licensed Appraiser, credential # 12462SLA

2. I desire to surrender my appraisal credential.

3. I am freely and voluntarily surrendering my appraisal credential.

4. In surrendering my credential, I am not subject to any duress or coercion.

5. I am aware that following grievance(s), investigation(s), and/or board complaint(s) are pending against me (please enter grievance, complaint, and/or control number(s); if there are more than 18 pending matters, complete another affidavit):

1. 08-087 2. _____ 3. _____

6. The contents of the above grievance(s), investigation(s), and/or board complaint(s) and the contents of any investigative or disciplinary files of the above pending grievance(s), investigation(s), and/or board complaint(s) are incorporated herein by reference.

7. I am aware that the allegations set forth in the above pending grievance(s), investigation(s), and/or board complaint(s), if proven, would constitute violations of the Oklahoma Real Estate Appraiser Act and/or the rules promulgated pursuant thereto, for which I could subject to be discipline by the Board, up to and including revocation of my appraiser credential.

8. I am fully aware of my rights to contest the allegations pending against me. These rights include: representation by an attorney at my own expense; the right to a public hearing on any charges or allegations filed; the right to confront and cross-examine witnesses called to testify against me; the right to present evidence on my own behalf; the right to compulsory process to secure attendance of such witnesses; the right to testify on my own behalf; the right to receive written findings of fact and conclusions of law supporting the decision on the merits of a complaint and the right to obtain judicial review of the Board's decision. In exchange for the Board's acceptance of the surrender of my appraiser credential, I voluntarily waive all of these rights.

9. I am aware that surrender of my credential shall not become effective until it has been approved by a majority of the Board.
10. I acknowledge this affidavit shall be presented to the Board with a recommendation from Board staff at the next available scheduled meeting of the Board.
11. I understand that the Board is free to accept or reject my surrender of my credential and, if rejected by the Board, a formal disciplinary hearing on the above pending matters may be held.
12. I understand that if the surrender is not accepted by the Board, it shall be regarded as null and void. Any admissions I make in this affidavit will not be regarded as evidence against me in the subsequent disciplinary hearing. I will be free to defend myself and no inferences will be made from my willingness to submit this affidavit.
13. I understand and agree that neither the presentation of this affidavit nor the Board's consideration of this affidavit will be deemed to have unfairly or illegally prejudiced the Board or its individual members and therefore will not be grounds for precluding the Board or any individual Board member from further participation in proceedings related to the matters set forth in this affidavit.
14. I understand and agree that should the Board accept my surrender of my appraiser credential that:
 - I cannot be identified as a Trainee, State Licensed, State Certified Residential or State Certified General Appraiser;
 - All reference(s) to certification/licensure must be immediately removed from all letterheads, business cards, appraisal report covers and other printed materials under my reasonable control; and
15. My real estate appraiser credential and pocket card are attached hereto.
16. I understand and agree that should the Board accept my surrender of my appraiser credential, I cannot and will not apply for reinstatement for a period of at least five (5) years.
17. I further state that (check one):

I do not hold a license, certificate or credential as an appraiser in another jurisdiction.

I do hold a license, certificate or credential as an appraiser in the following jurisdiction(s) [LIST ALL JURISDICTIONS]:

Jurisdiction and Certificate or License Number

Jurisdiction and Certificate or License Number

Jurisdiction and Certificate or License Number

Jurisdiction and Certificate or License Number

FURTHER AFFIANT SAYETH NOT.

Signed: *Carl W. Weems*
(Signature of individual surrendering credential)

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) ss.

Subscribed and sworn to before me this 5th day of November, 2010.

Justin Kudron
Notary Public

My Commission expires:

05-28-13

My Commission Number is:

09004502





OKLAHOMA INSURANCE DEPARTMENT
P.O. BOX 53408, OKLAHOMA CITY, OK 73152-3408

KIM HOLLAND, Chairperson
REAL ESTATE APPRAISER BOARD

THE INDIVIDUAL NAMED BELOW IS LICENSED TO ACT IN THE FOLLOWING CAPACITY

State Licensed Appraiser

LICENSE NUMBER
12462SLA

Carl W. Wiens

EFFECTIVE
6/13/2007

**3309 N Holloway
Bethany, OK 73008**

EXPIRES
6/30/2010

State of Oklahoma



Kim Holland, Insurance Commissioner

Oklahoma Real Estate Appraiser Board

This is to certify that:

Carl W. Wiens

has complied with the provisions of the Oklahoma Real Estate Appraisers Act to transact business as a State Licensed Real Estate Appraiser in the State of Oklahoma.

In Witness Whereof, I have hereunto set my hand and caused the seal of my office to be affixed at the City of Oklahoma City, State of Oklahoma, this 30th day of June A.D. 2010.

*Kim Holland, Insurance Commissioner
Chairperson, Oklahoma Real Estate Appraiser Board*

Members, Oklahoma Real Estate Appraiser Board



Expires: **6/30/2013**

Oklahoma Appraiser Number: **12462SLA**