



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

October 4, 2019
Date

327
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a regular session meeting on October 4th, 2019 at 9:30 a.m. The meeting was held in the Public Meeting Room of the offices of the Oklahoma Insurance Department at 5 Corporate Plaza, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. §301 et seq., the agenda for this meeting was posted at the main entrance of the Oklahoma Insurance Department at 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma on Wednesday, October 2nd, 2019 at 9:30 a.m., and transmitted to the offices of the Board members on September 27th, 2019 and posted to the REAB website on October 2nd, 2019. The agenda is attached as Exhibit "A".

- I. **CALL TO ORDER.** Stephen C. Walton called the meeting to order at 9:30 a.m. The roll of Board members was called to establish a quorum.

Board members present were: Stephen C. Walton;
Lee R. Caesar, Jr.;
Brandon J. Witt;
H.E. Ted Smith;
Timothy R. Ledbetter;
Patty Broome

Board members excused were: Glen Mulready and Real Estate Sales Member (vacant)

Based on the result of the roll call, a quorum was declared present by the Chair.

Others in attendance were: Bryan Neal, Assistant Attorney General; Christine McEntire, Director; Teresa Green, OI Counsel; Eric Schoen, Administrative Officer III and Kayla Dekat, Legal Secretary. Others present were: Steven McCaleb, Rod Bien, Rachel Mor and William T. McGarry.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit "B")

Mr. Caesar moved that the reading of the minutes of the September 6th, 2019 session be waived and approved as published and distributed. The Motion was seconded by Mr. Smith. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE OPPOSED. THE MOTION WAS AGREED TO.

TAKEN OUT OF ORDER.

- XI. **DISCUSSION AND POSSIBLE ACTION REGARDING THE DISPOSITION OF COMPLAINT #18-035; IN THE MATTER OF WILLIAM T. MCGARRY; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "C")

Mr. Smith is recused from consideration of Agenda Item XI. in his capacity as Chair of the Probable Cause Committee.

Following a brief presentation by Stephen McCaleb and Rachel Mor, Mr. Caesar made a Motion and it was seconded by Mr. Ledbetter to adopt the consent order and issue a Letter of Warning regarding William T. McGarry listed in Agenda Item XI. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

III. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF ALAN PURSLEY, COMPLAINT #18-028; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "D")

Mr. Smith is recused from consideration of Agenda Item III. in his capacity as Chair of the Probable Cause Committee.

After a brief presentation by Steve McCaleb, Mr. Caesar made a Motion and it was seconded by Mr. Witt to adopt the consent order regarding Alan Pursley listed in Agenda Item III. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

IV. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF WILLIAM J. DANIELS, COMPLAINT #18-033; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "E")

Mr. Smith is recused from consideration of Agenda Item IV. in his capacity as Chair of the Probable Cause Committee.

After a brief presentation by Steve McCaleb, Mr. Caesar made a Motion and it was seconded by Ms. Broome to adopt the consent order regarding William J. Daniels listed in Agenda Item IV. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

V. **DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF TARA J. SCHWARZE, COMPLAINT #18-039; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.** (Exhibit "F")

Mr. Smith is recused from consideration of Agenda Item V. in his capacity as Chair of the Probable Cause Committee.

Following a brief presentation by Stephen McCaleb, Mr. Caesar made a Motion and it was seconded by Mr. Witt to adopt the consent order regarding Tara J. Schwarze listed in Agenda Item V. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes

Mr. Ledbetter	Yes
Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

VI. **CHAIRPERSON'S REPORT.** The Chairperson offered no report.

VICE-CHAIRPERSON'S REPORT. The Vice-Chairperson offered no report.

DIRECTOR'S REPORT.

A. **Discussion and possible action regarding suspension of individuals for non-payment of annual fees due on July 31, 2019.** (Exhibit "G")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to approve Board staff to suspend the individual listed in Agenda Item VI., Director's Report A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE OPPOSED. THE MOTION WAS AGREED TO.

B. **Discussion and possible action regarding approval of renewal applications due by November 30, 2019 and authority to issue certificates.** (Exhibit "H")

Mr. Caesar made a Motion and it was seconded by Mr. Smith to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item VI., Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE OPPOSED. THE MOTION WAS AGREED TO.

C. **Discussion and possible action regarding approval of original certificate of registration for appraisal management companies.** No report.

D. **Discussion and possible action regarding approval of AMC renewal applications due by October 31, 2019 and authority to issue certificates.** (Exhibit "I")

Mr. Smith made a Motion and it was seconded by Mr. Ledbetter to issue a renewal certificate to the companies listed in Agenda Item VI., Director's Report D. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE OPPOSED. THE MOTION WAS AGREED TO.

VII. **COMMITTEE REPORTS:**

A. Standards and Disciplinary Procedures Committee. No report.

B. Education, Experience and Testing Committee:

1. Discussion and possible action regarding approval of course submittals. (Exhibit "J")

(A) Mr. Caesar made a Motion and it was seconded by Mr. Ledbetter to approve the recommendation as presented in Agenda Item VII. B. 1. A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE OPPOSED. THE MOTION WAS AGREED TO.

2. Discussion and possible action regarding approval or disapproval of reciprocal applications received and authority to issue certificates. (Exhibit "K")

(A) Mr. Smith made a Motion and it was seconded by Ms. Broome to allow staff to be given authority to issue an original certificate to the individuals listed in Agenda Item VII. B. 2. (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE OPPOSED. THE MOTION WAS AGREED TO.

(B) Mr. Witt made a Motion and it was seconded by Mr. Ledbetter to allow staff to be given authority to issue an original certificate to the individuals listed in Agenda Item VII. B. 2. (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE OPPOSED. THE MOTION WAS AGREED TO.

3. Discussion and possible action regarding approval or disapproval of experience documentation of applicants. (Exhibit "L")

(A) Ms. Broome made a Motion and it was seconded by Mr. Smith to allow staff to be given authority to issue an upgrade certificate to the individuals listed in Agenda Item VII. B. 3. (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Yes
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE, NONE EXCUSED, AND NONE

OPPOSED. THE MOTION WAS AGREED TO.

C. Legislation & Rules Committee. No report.

D. Probable Cause Committee.

1. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee. No report.

2. Discussion and possible action regarding standard operating procedures for the Probable Cause Committee. No report.

3. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. (Exhibit "M")

Mr. Smith is recused from consideration of Agenda Item VII. D. 3. in his capacity as Chair of the Probable Cause Committee.

Following discussion of Grievance #19-023, Mr. Ledbetter made a Motion and it was seconded by Ms. Broome that the grievance be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-024, Mr. Caesar made a Motion and it was seconded by Mr. Ledbetter that the grievance be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-025, Mr. Caesar made a Motion and it was seconded by Mr. Witt that the grievance be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-026, Mr. Caesar made a Motion and it was seconded by Ms. Broome that the grievance be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes

Mr. Ledbetter	Yes
Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-027, Mr. Caesar made a Motion and it was seconded by Mr. Ledbetter that the grievance be dismissed, file closed and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-028, Mr. Caesar made a Motion and it was seconded by Mr. Witt that the grievance be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-029, Mr. Caesar made a Motion and it was seconded by Mr. Ledbetter that the grievance be dismissed, file closed and no further action be taken regarding the first appraisal report. The second appraisal report will be tabled to the next Probable Cause Committee meeting. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-035, Mr. Caesar made a Motion and it was seconded by Ms. Broome that the grievance be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
	Mr. Witt	Yes
	Mr. Smith	Recused
	Mr. Walton	Yes
	Mr. Ledbetter	Yes
	Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance #19-036, Mr. Caesar made a Motion and it was seconded by Mr. Witt that the grievance be adopted as a complaint and forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Caesar	Yes
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Mr. Witt	Yes
Mr. Smith	Recused
Mr. Walton	Yes
Mr. Ledbetter	Yes
Ms. Broome	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, NONE EXCUSED, NONE OPPOSED AND ONE RECUSED. THE MOTION WAS AGREED TO.

- VIII. DISCUSSION AND POSSIBLE ACTION REGARDING 59 O.S. § 858-702. "APPLICATION OF ACT" OF THE OKLAHOMA CERTIFIED REAL ESTATE APPRAISERS' ACT AND VOLUNTARY STATES VERSUS MANDATORY FOR FEDERALLY-RELATED TRANSACTIONS (SUCH AS OKLAHOMA) AND COMPLETELY MANDATORY STATES AS IT APPLIES TO THE NEED FOR LICENSURE OF APPRAISERS. No action.

Tabled to the November 1st, 2019 Board meeting.

- IX. DISCUSSION AND POSSIBLE ACTION REGARDING ADMINISTRATIVE SUSPENSIONS OF APPRAISER CREDENTIALS DUE TO NON-PAYMENT OF ANNUAL FEES OR FAILURE TO COMPLETE MANDATORY CONTINUING EDUCATION. No action.

Tabled to the November 1st, 2019 Board meeting.

- X. DISCUSSION AND POSSIBLE ACTION REGARDING POLICIES AND PROCEDURES SURROUNDING COLLECTION OF THE APPRAISAL SUBCOMMITTEE'S APPRAISAL MANAGEMENT COMPANY NATIONAL REGISTRY FEE AND REVIEW OF THE APPRAISAL SUBCOMMITTEE'S SUGGESTIONS FOR DETERMINING AMC REGISTRATION ELIGIBILITY AND FEES, INCLUDING THE UPDATE OF OWNERS AND CONTROLLING PERSONS POST STATUTORY CHANGES ON NOVEMBER 1, 2019. No action.

The Board and Christine McEntire discussed Agenda Item X.

- XII. NEW BUSINESS. No report.

- XIII. ADJOURNMENT. The Board adjourned by general consent.

OFFICIAL MINUTES.

The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after Motion duly made and seconded has been noted, herein, and made a part of these minutes. The Board caused the entire proceeding of the meeting, excepting any executive sessions, to be recorded on a digital audio recording device to be retained as a record in the office of the Board. Exhibits are A through M.




STEPHEN C. WALTON, VICE-CHAIRPERSON
OKLAHOMA REAL ESTATE APPRAISER BOARD


ERIC M. SCHOEN, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD