

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

In the Matters of DARYL D. CANNON)	
)	Complaint #20-029
Respondent.)	

**BOARD’S DECISION AS TO
DISCIPLINARY HEARING PANEL RECOMMENDATION**

ON THE 10th day of September 2021, the above numbered and entitled cause came on for hearing before the Oklahoma Real Estate Appraiser Board (the “Board” or “OREAB”). The above-numbered and entitled cause came on for hearing previously on July 12, 2021. The Board was represented by a Disciplinary Hearing Panel composed of three (3) appraiser members, Jevon T. Tresner, of Oklahoma City, Oklahoma, Timothy G. Wolzen of Choctaw, Oklahoma, and David W. Atkinson, of Midwest City, Oklahoma, each of whom is a current Member of the Board’s Standards and Disciplinary Procedures Committee. Jevon T. Tresner was elected and served as Hearing Panel Chairman at the hearing. Said panel was represented by the Board’s attorney, Assistant Attorney General Bryan Neal. The case was prosecuted by the Board’s Prosecutor, Stephen McCaleb. On behalf of the Board, Mr. McCaleb elected to have this matter recorded by electronic device and to rely on the electronic recording.

The Respondent, Daryl D. Cannon of Wagoner, Oklahoma (“Respondent”), who does business as Canco Appraisal Co., having been mailed a copy of the Notice of Disciplinary Proceedings and Appointment of Hearing Panel in Complaint No. 20-029 (the “Notice”) by first class U.S. certified mail with return receipt requested to his last-known business and/or residence address on April 28, 2021, pursuant to the Oklahoma Certified Real Estate Appraisers Act, 59 O.S. § 858-724, and the Administrative Procedures Act, 75 O.S. §§250-323, and on July 12th, 2021, the Respondent appeared in person in the hearing pro se, and was not represented by an Attorney.

The Respondent elected to have this matter recorded by electronic device and to rely on the electronic recording.

PRELIMINARY MATTERS

The Board's Prosecutor, Mr. McCaleb, announced that he had an Exhibit Book with six (6) exhibits that he identified and marked as: (1) Exhibit 1, the Market Analysis Summary - Residential; (2) Exhibit 2, the Zoning Districts (of the City of Wagoner, Oklahoma); (3) Exhibit 3, Appraisal Work Product Review Report prepared by an appraiser witness he intended to call named Betty Jo Cagle who examined the Respondent's appraisal report; (4) Exhibit 4, Possible Wagoner Sales with Pictures; (5) Exhibit 5, Grievance Response by Respondent; and (6) Subject Report [appraisal report] by Respondent. The Respondent stated that he had no objection to the admission of the Board's Exhibits 1 through 6 as presented in the Exhibit Book with the six (6) exhibits.

The Board's Prosecutor subsequently moved for the admission of the six (6) exhibits for the Board marked as Exhibits 1, 2, 3, 4, 5, and 6, respectively, to which there was no objection by the Respondent. Accordingly, the Board's six (6) exhibits were admitted into evidence.

An examination of the Exhibit Book with its six (6) exhibits, consisted of the following with pages Bates-stamped: Exhibit 1 consisted of a document identified to be the Market Analysis Summary- Residential prepared by an appraiser witness Mr. McCaleb intended to call named Betty Jo Cagle (Exhibit 1, page 001).

Exhibit 2 was a document printed in color and identified by Mr. McCaleb in the Hearing to be the Zoning Districts (of the City of Wagoner, Oklahoma), provided by an appraiser witness he intended to call named Betty Jo Cagle (Exhibit 2, page 001).

Exhibit 3 was an Appraisal Work Product Review Report on a form created by the Board, prepared by an appraiser witness the Board Prosecutor intended to call named Betty Jo Cagle (pages

001-007).

Exhibit 4 consisted of Possible Wagoner Sales with Pictures (pages 001 – 037), containing MLS data on sales prepared by an appraiser witness Mr. McCaleb intended to call named Betty Jo Cagle.

Exhibit 5 consisted of the Respondent's Grievance Response (page 001).

Exhibit 6 consisted of the Respondent's written appraisal report on the subject real property dated June 6, 2020 (904 NW 4th Street, Wagoner, Oklahoma 74467) (pages 1-22), with an Opinion of Value of \$49,000.00 attached. (Exhibit 6, page 7).

Neither the Respondent nor the Board as parties to these proceedings requested that a court reporter record this matter and neither the Respondent nor the Board as parties to these proceedings submitted any proposed findings of fact or proposed conclusions of law to the Disciplinary Hearing Panel for their consideration.

The Respondent presented one exhibit as part of his defense in this matter marked as Exhibit R-1 entitled "Grievance", which one page document addressed certain matters raised in the Grievance.

WITNESSES AND EVIDENCE PRESENTED

The Board's Prosecutor presented one witness in support of the case against the Respondent: (1) Betty Jo Cagle, an Oklahoma Certified Residential Appraiser, 10179CRA, and a Board investigator.

The Respondent testified on his own behalf in his defense and presented no other witness.

Betty Jo Cagle Testimony (Summary)

Betty Jo Cagle, upon being duly sworn in, testified that she is an Real Estate Appraiser and reviewer, that she is a Board Investigator, that she is licensed as a Certified Residential Appraiser, that

she is a USPAP Instructor and has been such an instructor for 12 to 14 years, she has been an appraiser since 1984, that she is an SRA with the Appraisal Institute, that she has a contract with Board to do work product review reports, that in connection with performing such reports for the Board, she looks for any violations of USPAP, that in connection with her investigation of this matter that she researched all sales that were used and that she also researched comps for the area, and that she does not know the Respondent.

Continuing, Ms. Cagle testified that Exhibit 1, the Market Analysis Summary - Residential, is her report, that she looked at the Respondent's reference to the neighborhood boundaries as he described them, the "City of Wagoner", and that he should have described them differently such as NE/NW 13 on the north, Ward Ave. on the east, SE/SW 15 on the south, and Highway 69 on the west (Exhibit 1, page 001). Ms. Cagle noted that the appraisal form used by the Respondent, known as a Form 1004 is not a USPAP compliant form, that she found the City of Wagoner "Zoning Districts" free on-line on the Wagoner County web-site, which document she identified to be Exhibit 2 as presented, that the document identified as the "Appraisal Work Product Review Report for the Oklahoma Real Estate Appraiser Board" is Exhibit 3 as presented, that Exhibit 3 is her report, that the documents presented as Exhibit 4 is sales data she located that includes comparable sales used in the Respondent's appraisal report (Exhibit 6), that Exhibit 5 as presented is the Respondent's grievance response he provided to the Board, and that the document presented as the Subject Appraisal, Exhibit 6, is the Respondent's appraisal report.

As to the Respondent's description of the boundaries of the neighborhood in his appraisal report, Ms. Cagle noted that an appraiser normally uses four directions as boundaries for four boundaries while the Respondent's listing of the "neighborhood" states that the neighborhood boundaries is the "City of Wagoner" (Exhibit 6, page 2, Neighborhood Section). According to Ms.

Cagle, the Respondent should have used four boundaries. It was noted by Betty Jo Cagle that the Respondent's office is located in the City of Wagoner (*See Exhibit 6, page 7*). Continuing as to the neighborhood description (*Exhibit 6, page 2*), Ms. Cagle noted that in an appraisal report an appraiser should assume that a client is not familiar with a neighborhood, that the appraiser should give the client something to describe, the appraisal report needs specificity to a specific neighborhood, that the Respondent left the commercial description blank (*Exhibit 6, page 2*), that the description of two to four family homes line was left blank, and that while multifamily housing exists in Wagoner, the Respondent also left that line blank.

Additionally in the "Neighborhood Section" of the Respondent's appraisal report (*Exhibit 6, page 2*), Ms. Cagle noted that the market conditions listed by the Respondent in his appraisal report that "the area is made up of residential homes" differed from the market conditions she described in her Market Analysis Summary – Residential (*Exhibit 1, page 001*) [in which she listed the average and median square footages of single-family houses, minimum and maximum list and sale prices of single-family houses, minimum and maximum days on market (DOM), etc.].

As to the "Site Section" of the appraisal report (*Exhibit 6, page 2*), Ms. Cagle noted that the Respondent's reporting of the Zoning classification of the subject property site as being "Residential" is incorrect as there is no such Wagoner zoning classification as "Residential" (*See Exhibit 2, page 001*), that the correct Zoning classification is "RS-1, Single Family High Density" (*See Exhibit 3, page 003*), and that within zoning districts there are conforming and non-conforming properties.

As to the "form" of the Respondent's appraisal report utilizing a "Form 1004UAD, Uniform Residential Appraisal Report" (*Exhibit 6, page 2*), Ms. Cagle noted that the Form 1004 as she referred to it (the "Form 1004"), was not "USPAP compliant", that the reference to "highest and best use" of the subject property in Form 1004 as also not "USPAP compliant", that the appraiser should provide

one or two sentences as to highest and best use, and that the Form 1004 used by the Respondent is not “USPAP compliant” even though the Form 1004 says that it is “USPAP compliant”.

As to the Respondent’s Grievance Response (Exhibit 5, page 001), Ms. Cagle testified that in the second paragraph of Exhibit 5, about five lines down, the Respondent indicated that some alterations were made to the subject property but in his appraisal report, Improvements Section (Exhibit 6, page 2), he stated that no improvements have been made in 15 years, that the subject property is in average condition (*See* Exhibit 6, page 3) for its age (74 years), that it is up to the appraiser to ask questions of the property owner if you don’t know, that the Respondent reports the conditions of the subject property as being “C4” condition (Exhibit 6, page 19, “C4” conditions defined), and that the Respondent may want to make adjustments.

It was noted by the Board’s Prosecutor at this point in the Hearing that sections 25 to 27 of the Notice’s “allegations of fact” (portions of pages 4 and 5) related to the “Cost Approach” were being rescinded by him, however, the Board’s Prosecutor noted that the “Cost Approach” was not developed in the appraisal report (Exhibit 6, page 4).

Ms. Cagle noted that if any one of the three (3) approaches to value (i.e. cost approach, income approach, and/or sales comparison approach), is not used, the appraiser needs to provide an explanation as to the reason an approach is not used or developed. In this matter, while the Respondent stated that the Cost Approach was not developed (Exhibit 6, page 3, Reconciliation Section), the cost approach was indeed not developed and no explanation was provided as to the reason such approach was not developed.

As to Exhibit 4, Ms. Cagle identified as possible sales the documents to be her research from the Multi-List Service (MLS) of sales comparison data. According to Ms. Cagle, the property at 702 S. Garfield, Wagoner (Exhibit 4, page 001), is a sale within the neighborhood area that had been rented

before, the property at 1401 E. Cherokee Street, Wagoner (Exhibit 4, pages 004 -005), is a sale where some repair work has been done, and the property at 701 SE 4th Street, Wagoner (Exhibit 4, pages 006-009), is the Respondent's Sale No. 3, a sale that she also found.

Further, according to Ms. Cagle, the property at 1003 SE 10th Street, Wagoner (Exhibit 4, pages 010-013), is a VA REO which is a repossessed property and as such, while it's a possible comparable sale, repos usually needs repairs, but from the outside it looked average, the property at 805 SE 4th Street, Wagoner (Exhibit 4, page 014-017), is a possible comparable sale, the condition of which looks similar to the subject property (904 NW 4th Street, Wagoner, Exhibit 6, page 2), and the property at 303 SW 13th Street, Wagoner (Exhibit 4, pages 018-021), is another possible sale.

Still further, Ms. Cagle noted that the property at 707 N. Jefferson, Wagoner (Exhibit 4, pages 022-024), is Respondent's Sale No. 2, is a possible sale, the property at 602 S. Lincoln Ave., Wagoner (Exhibit 4, pages 025-027), is another possible sale, and the property at 200 N. Taylor Ave., Wagoner (Exhibit 4, pages 028-031), is the Respondent's Sale No. 1, a sale that Ms. Cagle stated was a reasonable sale that was used by the Respondent.

Ms. Cagle also noted that the Respondent's Sale No. 1 (Exhibit 6, page 3), provided for an adjustment on the condition (-\$10,000) without providing any explanation or the reason the Respondent made the adjustment. According to Ms. Cagle, the Respondent's adjusted range should be within five (5) % on all three sales, otherwise there is no logical reason how to choose, and the Respondent provided no explanation as to how he arrived at his opinion of value of \$49,000.

As to the Respondent's failure to develop or use the Income Approach in the appraisal report, if you don't specify the neighborhood's boundaries then the whole town of Wagoner will have rental properties. In this case according to Ms. Cagle, the subject property (904 NW 4th Street, Wagoner, Exhibit 6, page 2), is a rental, as is the property at 904 NE 12th Street, Wagoner, and the property at

906 SW 5th Street, Wagoner.

Ms. Cagle stated that agreed with the Respondent's selection of two of his comparable sales, she believed the Respondent's report was a misleading report and that neither the Respondent's lender, Armstrong Bank, nor her as a Board investigator, were bound to USPAP's requirements.

Daryl D. Cannon Testimony (Summary)

The Respondent, Daryl D. Cannon, appearing pro se, upon being duly sworn in, testified that he made his adjustments based on what it cost to get from one stage to another, that he could have made his neighborhood boundaries better, that the subject property was rented to a family member, that the landowner would not speak with him, that his comparable sales were all 65 to 70 years of age, said he did not speak with any realtors in Wagoner because they exaggerate on rental amounts, that the Bank told him not to use the Income Approach because they are not in the rental business, and that he now sees that he did not explain his choice to not use the three approaches to value.

Continuing, the Respondent stated that he was aware of the different zoning classifications in Wagoner, that Wagoner is the kind of town where you can do anything you want to, that he has been appraising for 29 years, that he has lived in Wagoner for 59 years, that there is one Walmart in Wagoner, that there is one city park in Wagoner, that the Wagoner Planning Commission recently changed the zoning classifications in Wagoner, that he had used canned statements [that he referred to several times as "candid statements."] in his appraisal report, that while he looked at other comparable sales, he did not think that they were actually more comparable than those he chose, that the homeowner just did not like his opinion of value, that the subject property's renter did not know what improvements had been made to the subject property, and that he does not think that changes made after renters move out, such as tile, carpet, etc., constitute a remodel.

In response to a question, the Respondent stated that he used Form 1004 because the lender

asked him to use it, that he would have used a different form for an individual, that he only appraises properties for Armstrong Bank, that he's trying to quit, and that he used to do work for others but it was too much paperwork.

At this point, the Respondent rested in his defense of this case.

COMES NOW the Oklahoma Real Estate Appraiser Board Disciplinary Hearing Panel being duly appointed in this matter as aforesaid hereinabove, after having received all evidence and being fully advised in the premises as to the above matter, and recommends that the Board find by clear and convincing evidence as follows, and make the following disciplinary recommendations as set forth at OAC 600:15-1-14, to wit:

JURISDICTION

1. The OREAB has the duty to carry out the provisions of the Oklahoma Certified Real Estate Appraisers Act as set forth at Title 59 of the Oklahoma Statutes, §§858-701, *et seq.* and to establish administrative procedures for disciplinary proceedings conducted pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act.

2. The OREAB has promulgated rules and regulations to implement the provisions of the Oklahoma Certified Real Estate Appraisers Act in regard to disciplinary proceedings as set forth at the Oklahoma Administrative Code, §§600:15-1-1 thru 600:15-1-22, including administrative hearings.

3. The Respondent, DARYL D. CANNON, is a certified residential appraiser in the State of Oklahoma, holding certificate number 10705CRA and was first licensed with the Oklahoma Real Estate Appraiser Board on December 11, 1992.

FINDINGS OF FACT

The Board hereby adopts in full the Findings of Fact of the Disciplinary Hearing Panel as follows:

1. The Respondent, DARYL D. CANNON, is a certified residential appraiser in the State of Oklahoma, holding certificate number 10705CRA and was first licensed with the Oklahoma Real Estate Appraiser Board on December 11, 1992.

2. In June of 2020, the Respondent was hired to complete an appraisal (the “appraisal”) for a residential property located at 904 NW 4th Street, Wagoner, Oklahoma 74467 (the “subject”). The Lender/Client was Armstrong Bank. The Borrower was Excel Properties, Inc. and the owner of Public Record Patsy and Don Rhodes. The Respondent completed the appraisal with an effective date of June 9, 2020, and then signed the appraisal report on June 9, 2020 (the “appraisal report”) (Exhibit 6, page 7). The assignment type was for a “refinance transaction”. The appraisal and appraisal report were alleged by the Respondent to have been performed in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) (Exhibit 6, page 6).

3. The Respondent committed a series of errors in the appraisal report which led to a misleading and non-credible appraisal report. These errors include, but are not limited to, the following in paragraphs 4-39.

NEIGHBORHOOD SECTION

4. Factors that affect marketability were not adequately and reasonably described (Exhibit 6, page 2, Neighborhood Section).

5. Neighborhood boundaries were not adequately and reasonably described (Exhibit 6, page 2).

6. Market area trends were not adequately and reasonably discussed and analyzed (Exhibit 6, page 2).

7. The neighborhood boundaries were not identified. The Respondent reports in the

appraisal report that the boundaries are the City of Wagoner (Exhibit 6, page 2). The neighborhood boundaries need to be specific, such as NE/NW 13th Street on the north, Ward Ave. on the east, SE/SW 15th Street on the south and Hwy 69 on the west.

8. The neighborhood description is not adequate (Exhibit 6, page 2). The description should include what type of amenities are available, types of homes in the neighborhood.

9. The present land use should include some commercial, multi-family and two family, if the Respondent is using the “entire” city of Wagoner.

10. Market conditions are not explained (Exhibit 6, page 2). Market conditions might have to do with closing costs being made, number of homes that have been sold in the past year, list price to sale price ratio and current mortgage rates. The appraiser’s description of market conditions does describe the market.

11. The Board investigator conducted a comparative market analysis (CMA) (Exhibit 1 Summary format) with the boundaries described above and came up with different low, high, and predominant ranges.

SITE/HIGHEST AND BEST USE

12. The zoning was not adequately and accurately reported (Exhibit 6, page 2, Site Section).

13. An opinion as to the highest and best use was not provided as the Respondent only checked the highest and best use box (Exhibit 6, page 2, Site Section). There is no explanation as to the analysis used.

14. The zoning description is not correct (Exhibit 6, page 2, Site Section). The zoning

Map for the City of Wagoner (Exhibit 2, page 001) is free on-line. The zoning is RS-1, Single Family High Density. The Respondent reported “Residential” in the appraisal report (Exhibit 6, page 2, Site Section).

IMPROVEMENTS

15. The relevant characteristics of improvements and any effect they have on value were not adequately described (Exhibit 6, page 2, Improvements Section).

16. The relevant conditions or depreciation (physical, functional or external) factors that affect the improvements were not reported or analyzed (Exhibit 6, page 2, Improvements Section).

SALES COMPARISON APPROACH

17. The Respondent did not analyze comparable sales data and use appropriate appraisal methods and techniques that support the conclusions (Exhibit 6, pages 3 and 8, Sales Comparison Approach Section).

18. The Respondent did not adequately collect, verify, and report comparable sales (Exhibit 6, pages 3 and 8).

19. Adequate reasoning was not provided for adjustments, analysis, opinions and conclusions (Exhibit 6, pages 3 and 8).

20. The Respondent did not correctly employ recognized methods and techniques (Exhibit 6, pages 3 and 8).

21. The Respondent reports that “they are the only comps available at this time” (Exhibit 6, page 3). The Board investigation found other sales that could have been considered by the Respondent (Exhibit 4).

22. Sale 1: 200 N Taylor – The Respondent should not have made a -\$10,000 condition

adjustment (Exhibit 6, page 3). Looking at the interior photos of this sale, the interior looks very similar to the interior of the subject (Exhibit 4, pages 028 to 031).

23. Sale 3: 701 SE 4th Street - Per MLS listing agent, this sale was a “project” (Exhibit 4, page 006-009). If this sale is used, the Respondent should have made an upward condition adjustment (Exhibit 6, page 3).

24. Sale 4: 1401 E. Cherokee Street – The Respondent should not have used this sale (Exhibit 6, page 8). The Agent stated needs “TLC” (Exhibit 4, page 004).

25. There is no explanation for any of the adjustments (Exhibit pages 3 and 8). Each adjustment needs to be explained on each sale.

26. The adjusted sales prices range from \$35,320 to \$62,060 (Exhibit 6, pages 3 and 8). This is too wide a range for the adjusted sales, if the right adjustments are made to each sale, The sales should all be within a reasonable percentage of each other. The Respondent does not explain how he arrived at a market value of \$49,000 for the subject property (Exhibit 6, page 7). There needs to be an explanation – which comps relied on and why.

INCOME APPROACH

27. Exclusion of the income approach was not supported (Exhibit 6, pages 3-4).

28. The Respondent did not adequately collect, verify, and report comparable rental data (Exhibit 6, page 4).

29. Reasonable support for income, expenses, vacancy was not provided (Exhibit 6, page 4).

30. Reasonable support for capitalization rate or Gross Rate Multiplier (GRM) was not provided (Exhibit 6, page 4).

31. Projections of future rent and expenses were not based on reasonably clear and appropriate market evidence (Exhibit 6, pages 3-4).

32. The Respondent did not correctly employ recognized methods and techniques (Exhibit 6, pages 3-4).

33. The subject property is a rental property; therefore, the Respondent should have considered the income approach. Even if the client does not require it, it is an approach that should be developed if the subject property is a rental property. The Respondent reports in the appraisal report that the approach was not developed due to lack of rental data (Exhibit 6, page 3). This is not an accurate statement. The Board investigation resulted in a search in MLS and found one rental. The property at 904 NE 12th, Wagoner, as rented for \$850 (Exhibit 3, page 005). Further investigation resulted in a search for rentals and GRMs under the sales and found three sales that could have been used to arrive at a GRM. 906 SW 5th was rented and sold for \$55,000 (6/2018) (Exhibit 3, page 005). The property at 512 Park Street was rented and sold (8/2019) (Exhibit 3, page 005). This property (512 Park Street) was sold along with seven other rental properties. Typically, an appraiser can go back two to three years to find enough GRM sales. The Respondent could have contacted Real Estate agents in the area for rental information.

FINAL RECONCILIATION AND GENERAL

34. The quality and quantity of data available and analyzed within the approaches used was not adequately reconciled (Exhibit 6, page 3, Reconciliation Section).

35. The applicability and suitability of the approaches used to arrive at the value conclusions was not adequately reconciled (Exhibit 6, page 3).

36. The appraisal results were conveyed in a misleading manner through the appraisal report (Exhibit 6).

37. It does not appear Respondent understands the appraisal process.
38. The appraisal report (Exhibit 6), does not contain sufficient information to enable the client to understand it properly.
39. The salient and factual data reported and analyzed was not reported in a consistent manner throughout the assignment.

CONCLUSIONS OF LAW

The Board hereby adopts in full the Conclusions of Law of the Disciplinary Hearing Panel as follows:

1. The Respondent Daryl D. Cannon has violated 59 O.S. §858-723(C)(6) through 59 O.S. §858-726, in that the Respondent violated:
 - A) The Competency Rule of the Uniform Standards of Professional Appraisal Practice;
 - B) Standard 1, Standards Rules 1-1, 1-2, 1-3, 1-4, and 1-6; Standard 2, Standards Rules 2-1, and 2-2 of the Uniform Standards of Professional Appraisal Practice. These include the sub-sections of the referenced rules.
2. The Respondent Daryl D. Cannon has violated 59 O.S. § 858-723(C)(6):
“Violation of any of the standards for the development or communication of real estate appraisals as provided in the Oklahoma Certified Real Estate Appraisers Act”.
3. The Respondent Daryl D. Cannon has violated 59 O.S. § 858-723(C)(7): "Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal."

4. The Respondent Daryl D. Cannon has violated 59 O.S. § 858-723(C)(8): "Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal."

5. The Respondent Daryl D. Cannon has violated 59 O.S. §858-723(C)(9): "Willfully disregarding or violating any of the provisions of the Oklahoma Certified Real Estate Appraisers Act".

FINAL ORDER

Having adopted in full the Findings of Fact and Conclusions of Law of the Disciplinary Hearing Panel, the Board hereby issues its Final Order as follows:

1. The Respondent Daryl D. Cannon shall successfully complete corrective education as follows:

The **FIFTEEN (15) HOUR** Course Number 600: National USPAP Course.

The **FIFTEEN (15) HOUR** Course Number 612: Residential Site Valuation & Cost Approach.

The **THIRTY (30) HOUR** Course Number 613: Residential Sales Comp and Income Approach.

The **FIFTEEN (15) HOUR** Course Number 614: Residential Report Writing and Case Studies.

The courses must all be completed with copies of certificates of course completion transmitted to the administrative office of the Board within **NINETY (90) DAYS** from the date of the Board Order plus a period of thirty (30) days after the Respondent Daryl D. Cannon is notified of the final agency order either personally or by certified mail, return receipt requested. The courses must be tested and may be an on-line course(s). The courses shall **not** be counted toward continuing education credit by the Respondent.

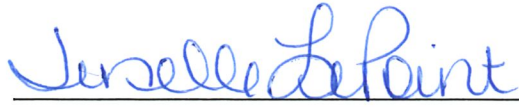
2. The Respondent Daryl D. Cannon shall be placed on **PROBATION** for a period of **SIX (6) MONTHS** beginning immediately upon the date that the period of **NINETY (90) DAYS** in which corrective education is ordered hereinabove to be completed shall end plus a period of thirty (30) days after the Respondent Daryl D. Cannon is notified of the final agency order either personally or by certified mail, return receipt requested. During the period of probation, Respondent Daryl D. Cannon shall provide an appraisal log on REA Form 3 to the administrative office of the Board no later than the fifth working day of each month detailing all his appraisal activity during the preceding month. The Board may select and require samples of work product from these appraisal logs be sent for review, to include for review the appropriate work file of the Respondent Daryl D. Cannon.

3. The Respondent Daryl D. Cannon shall pay an administrative fine in the amount of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** to the Board. Payment of the fine shall be remitted to the Board in accordance with the manner contemplated by 59 O.S. § 858-723(B).

4. Failure by Respondent Daryl D. Cannon, to comply with any requirement of this order shall result in his appraisal credential being suspended instantaneously, with notification forwarded immediately to Respondent Daryl D. Cannon, either personally or by Certified U. S. mail, return receipt requested.

THE BOARD WISHES TO ADVISE THE RESPONDENT THAT HE HAS 30 DAYS FROM THE DATE HE IS FIRST NOTIFIED OF THIS ORDER, EITHER PERSONALLY, OR BY CERTIFIED U.S. MAIL, RETURN RECEIPT REQUESTED, TO APPEAL THIS ORDER WITH THE APPROPRIATE DISTRICT COURT.

IT IS SO ORDERED on this 10th day of September 2021



JENELLE LEPOINT, Administrative Officer
Real Estate Appraiser Board



Date



BRYAN NEAL
Assistant Attorney General and
Attorney for the Board



Date



CERTIFICATE OF MAILING

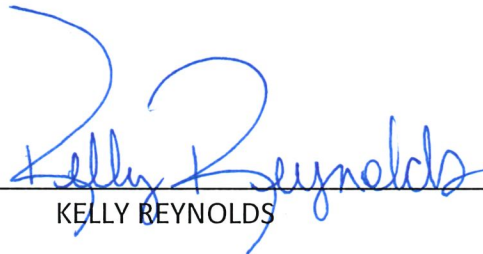
I, Kelly Reynolds, hereby certify that on the 28th day of September 2021 a true and correct copy of the above and foregoing Board's Decision as to Disciplinary Hearing Panel Recommendation was placed in the U.S. Mail, with postage pre-paid, by certified mail, return receipt requested to:

Daryl D. Cannon
27570 E 690 Rd.
Wagoner, OK 74467

and by First Class Mail to:

Bryan Neal, Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
313 N.E. 21st Street
Oklahoma City, OK 73105

Stephen L. McCaleb
DERRYBERRY & NAIFEH
4800 N. Lincoln Boulevard
Oklahoma City, OK 73105



KELLY REYNOLDS