

STATE OF OKLAHOMA REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

May 5, 2023 Date 366 Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held a regular session meeting May 5, 2023, at 9:33 a.m. The meeting was held in the Public Conference Room of the offices of the Oklahoma Insurance Department at 400 NE 50th St, 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 400 NE 50th St, Oklahoma City, Oklahoma on Wednesday, May 3, 2023, at 9:30 a.m., and transmitted to the offices of the Board members on April 27, 2023 and posted to the REAB website on May 3, 2023. The agenda is attached as Exhibit "A".

<u>CALL TO ORDER.</u> Lee R. Caesar, Jr., called the meeting to order at 9:33 a.m. The roll
of Board members was called to establish a quorum.

Board members present were:

Lee R. Caesar, Jr. Richard Broughton Brandon J. Witt Aaron S. Emerson Davonna Milam

Board members excused:

Shane Willard Glen Mulready

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; Molly Clinkscales, Comm. Counsel; Jenelle LePoint, Administrative Officer and Kelly Reynolds, Legal Secretary. Others present: Stephen McCaleb, Rachel Lawrence Mor, Todd Riddles, Joel Baker, Krista Massad and Bryson Panas.

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

Mr. Emerson moved that the reading of the minutes of the March 31, 2023, session be waived and approved as published and distributed. The Motion was seconded by Mr. Broughton. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

III. DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE MATTER OF BLAKE J. THOMAS; COMPLAINT #21-009 AND COMPLAINT #22-014; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "C")

Mr. Emerson and Mr. Broughton are recused as prior Probable Cause Committee members associated with review of this complaint.

Rachel Lawrence Mor waived quorum.

After a brief presentation by Stephen McCaleb, Mr. Caesar, made a Motion, and it was seconded by Ms. Milam to approve the Consent Order listed in Agenda Item III. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar

Yes

Mr. Broughton

Yes

Ms. Milam

Yes

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

After a subsequent discussion by Stephen McCaleb, Mr. Caesar, made a Motion, and it was seconded by Mr. Witt to dismiss Complaint #22-014 listed in Agenda Item III. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar

Yes

Mr. Broughton

Yes

Ms. Milam

Yes

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

DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE IV. MATTER OF BRYCE A. GADEN; COMPLAINT #22-012; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.

Reset for hearing on June 21, 2023. No action taken.

DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE ٧. MATTER OF PATRICIA A. THOMPSON; COMPLAINT #22-011; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "D")

Mr. Emerson is recused as prior Probable Cause Committee member associated with review of this complaint.

After a brief presentation by Stephen McCaleb, Mr. Caesar, made a Motion, and it was seconded by Mr. Broughton approve the Consent Order 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. Broughton

Yes

Ms. Milam

Yes

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

DISCUSSION AND POSSIBLE ACTION REGARDING A CONSENT ORDER IN THE VI. MATTER OF TIFFENEY A. GOODPASTURE; COMPLAINT #22-015; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS. (Exhibit "E")

Mr. Emerson is recused as prior Probable Cause Committee member associated with review of this complaint.

After a brief presentation by Stephen McCaleb, Mr. Caesar, made a Motion, and it was seconded by Ms. Milam to approve the Consent Order listed in Agenda Item VI. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar

Yes

Mr. Witt

Yes

Mr. Broughton

Yes

Ms. Milam

Yes

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

CHAIRPERSON'S REPORT. No Report VII.

VICE-CHAIRPERSON'S REPORT. No Report

Commissioner Glen Mulready entered the meeting.

DIRECTOR'S REPORT.

A. Discussion and possible action regarding suspension of individuals for nonpayment of annual fees due February 28, 2022. (Exhibit "F")

Mr. Broughton made a Motion, and it was seconded by Mr. Witt to approve Board staff to issue a renewal certificate to each of the individuals listed in Agenda Item VII, 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

THE RESULT WAS FIVE 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 June 30, 2023, and authority to issue certificates. (Exhibit "G")

Mr. Broughton made a Motion, and it was seconded by Mr. Witt to approve Board staff to issue a renewal certificate to each of the individuals listed in Agenda Item VII, Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. CaesarYesMr. WittYesMr. EmersonYesMr. BroughtonYesMs. MilamYes

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

C. Discussion and possible action regarding approval of original certificates of registration for appraisal management companies. (Exhibit "H")

Mr. Witt made a Motion, and it was seconded by Mr. Broughton to approve Board staff to issue a renewal certificate to each of the appraisal management companies listed in Agenda Item VII, Director's Report C. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

D. Discussion and possible action regarding approval of AMC renewal applications due by June 30, 2023, and authority to issues certificates. (Exhibit "I")

Mr. Broughton made a Motion, and it was seconded by Mr. Caesar to approve Board staff to issue a renewal certificate to each of the applicants listed in Agenda Item VII, 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

VIII. COMMITTEE REPORTS:

- A. Standards and Disciplinary Procedures Committee.
- 1. Discussion and possible action regarding appointment of volunteers and/or committee members to assist the 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")

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

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

THE RESULT WAS FIVE 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. Caesar made a Motion, and it was seconded by Mr. Broughton to allow staff to be given authority to issue an original certificate to the individuals listed in Agenda Item VIII. B. 2. A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

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

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

(C) Mr. Witt made a Motion, and it was seconded by Mr. Broughton to allow staff to be given the authority to issue a renewal certificate to the individual listed in Agenda Item VIII. B. 2. C. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

(D) Mr. Broughton made a Motion, and it was seconded by Ms. Milam to allow staff to be given the authority to issue a renewal certificate to the individual listed in Agenda Item VIII. B. 2. D. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

THE RESULT WAS FIVE 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) Mr. Witt made a Motion, and it was seconded by Mr. Caesar to allow staff to be given authority to issue an upgrade certificate to the individuals listed in Agenda Item VIII. B. 3. A. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

 Mr. Caesar
 Yes

 Mr. Witt
 Yes

 Mr. Emerson
 Yes

 Mr. Broughton
 Yes

 Ms. Milam
 Yes

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

(B) Ms. Milam made a Motion, and it was seconded by Mr. Caesar to allow staff to be given the authority to deny an upgrade certificate to the individual listed in Agenda Item VIII. B. 3. B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

C. Legislation & Rules Committee.

Ashely Scott discussed pending bills and current legislative matters.

- 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. Witt is recused from consideration of Agenda Item VIII. D. 3. in his capacity as Chair of the Probable Cause Committee.

Following discussion of Grievance #23-001, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be dismissed, the file closed, and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Mr. Emerson Mr. Broughton

Yes Yes Yes Yes

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

Ms. Milam

Following discussion of Grievance #23-002, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be dismissed, the file closed, and no further action be taken. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Mr. Emerson Mr. Broughton Yes Yes Yes

Ms. Milam Yes

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

Following discussion of Grievance #23-003, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar

Yes

Mr. Emerson Mr. Broughton Yes Yes

Ms. Milam

Yes

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

Following discussion of Grievance #23-004, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Mr. Emerson Yes Yes

Mr. Broughton Ms. Milam Yes Yes

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

Following discussion of Grievance #23-005, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be dismissed, the 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. Emerson Mr. Broughton Yes Yes

Ms. Milam

Yes

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

Following discussion of Grievance #23-006, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that a Non-Disciplinary Letter of Concern be issued, the grievance be dismissed, the 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. Emerson

Yes

Mr. Broughton Ms. Milam

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

Following discussion of Grievance #23-007, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that a Non-Disciplinary Letter of Concern be issued, the grievance be dismissed, the 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

Following discussion of Grievance #23-008, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be dismissed, the 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

Following discussion of Grievance #23-009, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

Following discussion of Grievance #23-010, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that a Non-Disciplinary Letter of Concern be issued, the grievance be dismissed, the 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

Following discussion of Grievance #23-011, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that the grievance be forwarded to prosecution for further handling. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

Following discussion of Grievance #A23-012, Mr. Emerson made a Motion, and it was seconded by Mr. Broughton that a Non-Disciplinary Letter of Concern be issued, the grievance be dismissed, the 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

IX. Discussion and Possible Action Regarding Rescheduling the Board's October 6, 2023 Regular Scheduled Meeting due to a Scheduling Conflict with the Fall Conference of the Association of Appraiser Regulatory Officials. (Exhibit "N")

Mr. Emerson made a Motion, and it was seconded by Mr. Broughton to reschedule the October 6, 2023 regular scheduled meeting to September 29, 2023 as presented in Agenda Item IX. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. CaesarYesMr. WittYesMr. EmersonYesMr. BroughtonYesMs. MilamYes

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

X. <u>Discussion and Possible Action Regarding a Contract with Betty J. Cagle for Services as an Appraiser-Examiner in Support of the Board's Enforcement Program for FY 2024 to include any Associated Matters or Motions.</u> (Exhibit "O")

Mr. Emerson made a Motion, and it was seconded by Mr. Broughton to approve the recommendation as presented in Agenda Item X. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:

Mr. Caesar Yes
Mr. Witt Yes
Mr. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

XI. <u>Discussion and Possible Action Regarding a Contract with Rodney K. Bien for Services as an Appraiser-Examiner in Support of the Board's Enforcement Program for FY 2024 to include any Associated Matters or Motions.</u> (Exhibit "P")

Mr. Emerson made a Motion, and it was seconded by Mr. Broughton to approve the recommendation as presented 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

XII. Discussion and Possible Action Regarding a Contract with Patti Fisher for Services as an Appraiser-Examiner in Support of the Board's Enforcement Program for FY 2024 to include any Associated Matters or Motions. (Exhibit "Q")

Mr. Emerson made a Motion, and it was seconded by Mr. Broughton to approve the recommendation as presented 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. Emerson Yes
Mr. Broughton Yes
Ms. Milam Yes

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

XIII. NEW BUSINESS. None.

XIV. 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 Q.

LEE R. CAESAR, JR., VICE-CHAIRPERSON OKLAHOMA REAL ESTATE APPRAISER BOARD

JENELLE LEPOINT, SECRETARY TO THE BOARD OKLAHOMA REAL ESTATE APPRAISER BOARD