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# BEFORE THE REAL ESTATE APPRAISER BOARD STATE OF OKLAHOMA

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In the Matter of PATRICIA A. THOMPSON,	)	
	)	Complaint No. 22-011
Respondent.	)	

## **BOARD ORDER MODIFYING BOARD ORDER #23-013**

ON THE 4<sup>th</sup> day of August, 2023, the above-numbered and entitled cause came on before the Oklahoma Real Estate Appraiser Board ("OREAB"), upon the filing of Respondent's Motion for Extension of Time ("Motion") with respect to Board Order #23-013, requesting an additional thirty (30) days to complete the previously ordered corrective education. The Board's prosecutor has filed a Response to the Motion for Extension of Time stating he has no objection to such an extension.

Respondent's attorney of record, Rachel Mor, appeared and advised the Board on her client's behalf. The Board's prosecutor, Stephen L. McCaleb, was in attendance and voiced that he had no objection to the Respondent's Motion.

#### **JURISDICTION**

- 1. That 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. That 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. That Respondent PATRICIA A. THOMPSON ("Respondent") is a certified residential appraiser in the State of Oklahoma, holding certificate number 10498CRA and was first licensed with the Oklahoma Real Estate Appraiser Board on March 16, 1992.

## ADOPTED FINDINGS OF FACT

- 1. In April of 2020, Respondent was hired to complete an appraisal (the "Appraisal") for a property located at 1413 Maple Drive, Grove, OK 74345 (the "Subject"). The Lender/Client was Fairway Independent Mortgage Corporation. Respondent completed the appraisal with an effective date of April 23, 2020. The assignment type was for a purchase transaction. The appraisal was purportedly performed in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice.
  - 2. Respondent committed some errors in the report.

#### General

3. The analysis of agreements of sale, options, or listings of the Subject property, current as of the effective date of appraisal, and sales that occurred within three years prior were not adequately summarized in the report.

## Neighborhood

4. Factors that affect marketability were not adequately and reasonably described. The neighborhood boundaries are too small - it appears to be only four streets.

## **Sales Comparison Approach**

- 5. Per form 1004, MLS pictures are not to be used without an explanation. Sale No. 2 is an MLS picture. Sale No. 3 is a picture from an older MLS listing.
  - 6. The picture for Sale No. 1 is incorrect.

#### General - Revisited

7. The appraisal report does not contain sufficient information to enable the intended user(s) to understand it properly.

## ADOPTED CONCLUSIONS OF LAW

- 1. That Respondent has violated 59 O.S. § 858-723(C)(6) through 59 O.S. §858-726, in that Respondent violated:
  - A. The Competency Rule of the Uniform Standards of Professional Appraisal Practice;
  - B. The Scope of Work Rule of the Uniform Standards of Professional Appraisal Practice; and
  - C. Standard 1, Standards Rules 1-1, 1-2, 1-3, 1-4, 1-5, and 1-6; and 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. That Respondent 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."
- 3. That Respondent 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."
- 4. That Respondent 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."

5. That Respondent 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."

## **MODIFIED ORDER**

WHEREFORE, Board Order #23-013 is hereby modified as follows:

- 1. Respondent shall take the following corrective education, with credit, either in person or online:
  - a) Course #612 Residential Site Valuation & Cost Approach (15 Hours)
  - b) Course #613 Residential Sales Comparison & Income Approach (30 Hours)
- 2. Respondent agrees that she will successfully complete, pass the test, and <u>provide</u> <u>proof of completion and passing of the tests to the Board's office</u> for the courses completed, within one hundred (120) days from the date the Board approves this Order. Failure to complete and pass the courses in a timely matter will result in suspension until the courses are passed and completed with <u>proof of completion and passing of the tests to the Board's office</u>. This period of time extends the original deadline by thirty (30) days
- 3. Respondent shall pay an administrative fine in the amount of five-hundred dollars (\$500), to be paid within thirty (30) days of notification of Respondent of the Board's Order imposing the administrative fine, pursuant to 59 O.S. §858-723.
- 4. Failure to comply with the preceding paragraphs in a timely manner will result in an instanter suspension of Respondent's license. For good cause, an extension may be granted by the Board. An application for an Extension of Time should be filed at least five (5) business days in advance of the Board meeting to be placed on a Board meeting agenda in advance of the deadline to comply with this Consent Order.

## IT IS SO ORDERED on this 4<sup>th</sup> day of August, 2023.

JENELLE LEPOINT, Board Secretary Oklahoma Real Estate Appraiser Board

OKLAHOMA REAL ESTATE APPRAISER BOARD:

By:

BRYAN NEAL, OBA NO. 6590

Assistant Attorney General Attorney for the Board 313 NE 21<sup>st</sup> St

Oklahoma City, OK 73105

## **CERTIFICATE OF MAILING**

I, Kelly Ann Reynolds, hereby certify that on the day of August, 2023, a true and correct copy of the above and foregoing Board Order Modifying Board Order #23-013 was sent via first-class U.S. Mail, certified and return-receipt requested, with proper postage prepaid thereon, to the following:

Rachel Lawrence Mor, Esq. 3037 NW 63<sup>rd</sup> St, Suite 205 Oklahoma City, OK 73116

9214 8902 0982 7500 0563 57

and by first-class U.S. Mail to:

Bryan Neal, Assistant Attorney General Office of the Attorney General 313 NE 21<sup>st</sup> St Oklahoma City, OK 73105

Stephen L. McCaleb, Esq. Derryberry & Naifeh, LLP 4800 N. Lincoln Blvd Oklahoma City, OK 73105

6