



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-4A

Charla Slabotsky, Executive Director
Oklahoma Real Estate Commission
1915 N. Stiles Ave., Ste. 200
Oklahoma City, Oklahoma 73105

January 3, 2017

Dear Executive Director Slabotsky:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Real Estate Commission intends to take regarding Board case C-2015-050. The proposed action is to impose a \$750 fine on a broker associate licensee. The licensee, who acknowledged receipt of a complaint filed, failed to submit a written response to the complaint to the Commission.

The Oklahoma Real Estate Code authorizes the Commission to impose sanctions on licensees whose conduct “constitutes untrustworthy, improper, fraudulent, or dishonest dealings,” and who “violat[e] any provision of the Oklahoma Real Estate Code or rules promulgated by the Commission” 59 O.S.2011, § 858-312(8), (9). Pursuant to Commission rules, “untrustworthy, improper, fraudulent, or dishonest dealings” includes “[f]ailing, upon demand in writing, to respond to a complaint in writing” OAC 605:10-17-4(9). When a complaint is filed with the Board, licensees must file an adequate written response within fifteen days of the notice. OAC 605:10-17-2(b). The action seeks to enforce regulations requiring cooperation with Commission investigations. The Commission may reasonably believe that a fine is necessary to prevent future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Real Estate Commission has adequate support for the conclusion that this action advances the State of Oklahoma’s policy requiring professionalism and integrity among real estate licensees.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA