



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-769A

Christine McEntire, Director
Oklahoma Real Estate Appraiser Board
3625 N.W. 56th St., Ste. 100
Oklahoma City, OK 73112

November 3, 2017

Dear Director McEntire:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Real Estate Appraiser Board intends to take pursuant to consent agreement in regard to Complaint #16-042. In preparing a property appraisal for a refinance transaction on a 78-year old home, the licensee committed errors that led to a misleading, confusing, and non-credible report. For example, the appraisal reported the home to be 18 years old with little to no data or reporting to support the reported effective age, the square footage conflicted with MLS and county records, and the comparables used were inapt. The licensee refused when requested to remedy the errors. The Board proposes to require additional education courses.

The Oklahoma Certified Real Estate Appraisers Act authorizes the Oklahoma Real Estate Appraiser Board to discipline licensees who “[v]iolat[e] of any of the standards for the development or communication of real estate appraisals,” “[f]ail[] or refus[e] without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal,” or are “[n]eqligen[t] or incompeten[t] in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal.” 59 O.S.Supp.2016, § 858-723(C)(6-8). The Act also requires adherence to the Uniform Standards of Professional Appraisal Practice, which contains professional requirements pertaining to ethics, competency, and scope of work. 59 O.S.2011, § 858-726. The Board may reasonably believe that the proposed action is necessary to prevent future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Real Estate Appraiser Board has adequate support for the conclusion that this action advances the State’s policy to uphold standards of competency and professionalism among real estate appraisers.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Ryan Chaffin".

RYAN CHAFFIN
DEPUTY CHIEF – ASSISTANT ATTORNEY GENERAL