



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-2A

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-2014-058. The proposed action is to impose a fine of \$750. The broker licensee took a house key from the lock box and gave it to an unlicensed person without the knowledge or consent of the home owner.

Oklahoma law 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). Under Commission rules, "untrustworthy, improper, fraudulent, or dishonest dealings" includes any conduct which "demonstrates bad faith or incompetency." OAC 605:10-17-4(12). Homeowners place a great deal of trust in real estate professionals. This action seeks to enforce the straightforward requirements that licensees adhere to the promulgated ethical standards. The Board may reasonably believe the disciplinary action, including a moderate 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 this action advances the State of Oklahoma's policies requiring professionalism and integrity among real estate licensees.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA