



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-767A

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 with respect to licensee 12320CRA. The Board proposes to suspend the licensee's certification for failure to pay annual fees.

The Oklahoma Certified Real Estate Appraisers Act authorizes the Board to issue certificates to individuals who wish to engage in real estate appraisal. 59 O.S.2011 & Supp.2016, §§ 858-704(A), 858-706(B)(3). The certificates last for three years and automatically expire at the end of the term if not renewed. 59 O.S.2011, § 858-714. Annual dues must be paid during the term of the certificate, *see* 59 O.S.Supp.2016, § 858-708(A), and are deposited into the Oklahoma Certified Real Estate Appraisers Revolving Fund to cover the Board's operating expenses. *Id.* § 858-730. The Board allows certificate holders to surrender the certificate prior to its expiration if they no longer wish to pay annual fees, *see* OAC 600:10-1-12(a), but the licensee did not do so. The Board may reasonably believe that its 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 the proposed action advances the State's policy to fund the Board through user fees rather than with tax revenues.

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