



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-770A

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 #16-039. In preparing a property appraisal for a refinance transaction, the licensee did not perform sufficient due diligence and committed errors that led to a misleading, confusing, and non-credible report. For example, information in several sections of the report was not complete and accurate; the comparable sales selected were inapt; data was not used consistently; and adjustments were not supported properly. 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,” are “[n]epligen[t] or incompeten[t] in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal,” or “[v]iolat[e] any of the provisions in the code of ethics set forth in [the] Act.” 59 O.S.Supp.2016, § 858-723(C)(6)-(8), (13). 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.

MIKE HUNTER
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