



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-780A

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

November 6, 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 Order #17-018 against Licensee 11855CRA and Licensee 12775CRA. A homeowner filed a complaint against both licensees due to errors and inconsistencies, and an artificially inflated value, in an appraisal report. Licensee 12775CRA was on Board probation at the time the report was prepared. The licensee's involvement with the appraisal therefore conflicted with representations made to the Board that the licensee had not completed any assignments during that time period. Licensee 11855CRA failed to appear at a consolidated disciplinary hearing, but Licensee 12775CRA appeared with counsel. The Board proposes to (i) revoke Licensee 11855CRA's appraiser credential and require payment of 50% of the Board's investigative costs, and (ii) suspend Licensee 12775CRA's appraiser credential for three months, followed by one year of probation, and require payment of \$5,000 in costs.

The Oklahoma Certified Real Estate Appraisers Act authorizes the 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]egligen[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.



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