



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-83A

Christine McEntire, Director  
Oklahoma Real Estate Appraiser Board  
3625 NW 56th Street, Ste. 100  
Oklahoma City, Oklahoma 73112

October 27, 2015

Dear Director McEntire:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Real Estate Appraiser Board intends to take with respect to licensees 12785CRA and 12879CRA. The proposed action is to issue a letter of concern to each licensee pointing out an apparent lack of due diligence in appraisals conducted by each licensee that were meant to be reviews of another licensee's appraisal. The apparent lack of due diligence stemmed from the licensees' failure to properly gather information necessary for making a credible appraisal, in this case using comparable land sales from outside the relevant market when at least some comparable properties were available and could be known by physically visiting the subject property.

The Oklahoma Certified Real Estate Appraisers Act, 59 O.S.2011 & Supp.2014, §§ 858-700–858-732, authorizes the Board to discipline licensees who are “[n]egligen[t] or incompeten[t] in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal” to others, 59 O.S.2011, § 858-723(C)(8). The action seeks to ensure that real estate appraisals are prepared competently and thoroughly, particularly at the information gathering stage. The Board may reasonably believe that the context in which these review appraisals were performed warrants the issue of a letter of concern rather than full disciplinary proceedings, which may be more appropriate upon 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 of Oklahoma's policy to improve the reliability of real estate appraisals, particularly when connected to financial transactions.

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

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA