



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2015-198A

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

December 9, 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. The proposed action is to suspend the license of licensee 13081CGA for failure to pay an annual fee when due.

The Oklahoma Certified Real Estate Appraisers Act, 59 O.S.2011 & Supp.2015, §§ 858-700–858-732, authorizes the Oklahoma Real Estate Appraiser Board to issue certificates to individuals who wish to engage in real estate appraisal, *id.* §§ 858-704(A), 858-706(B)(3). Each of these certificates lasts for three years and automatically expires at the end of the term if the certificate holder takes no action to renew the certificate. 59 O.S.2011, § 858-714. However, during the life of the certificate, the holder must pay annual registry fees. 59 O.S.Supp.2015, § 858-708; OAC 600:10-1-18. The Board allows certificate holders to surrender the certificate prior to its expiration if they no longer wish to pay these annual fees. OAC 600:10-1-12(a). The action seeks to enforce the requirement that certificate holders pay annual fees to continue to enjoy the privileges granted under the certificate. Payment of these fees may allow professional regulation to be funded by regulated professionals rather than out of the public fisc.

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 collect annual fees from licensed professionals.

A handwritten signature in black ink, appearing to read "Scott Pruitt", is written over a faint, larger version of the same signature.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA