



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-289A

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

May 9, 2016

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 pursuant to a consent agreement with respect to Board complaint 15-014. The proposed action is to require completion of a 15-hour course in the Uniform Standards of Professional Appraisal Practice ("USPAP"). The action also requires completion of a 7-hour course in eminent domain and condemnation. The latter may satisfy continuing education requirements, but the former may not. The licensee prepared a review appraisal as part of a condemnation proceeding; the review lacked evidence, including reasons for disagreement with a prior appraisal value. The report's deficiencies suggested bias in favor of the client, with whom the licensee had been friends for many years.

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 discipline licensees who violate the Act's standards for real estate appraisals, 59 O.S.Supp.2015, § 858-723(C)(6). The Act requires adherence to "the current edition of" USPAP, 59 O.S.2011, § 858-726, which is the 2016-2017 edition. USPAP's Standards Rule 3-1(a) requires an appraiser conducting an appraisal review to "correctly employ those methods and techniques that are necessary to produce a credible appraisal review." USPAP 29. Standards Rule 3-3(b)ii) also requires an explanation of "the reasons for any disagreement" when "necessary for credible assignment results." USPAP 32. The Board may reasonably believe that the licensee's omissions failed to result in a credible review and that additional education will 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 of Oklahoma's policy that real estate appraisals meet standards of completeness and accuracy.

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

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA