



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-30A

Charla Slabotsky, Executive Director
Oklahoma Real Estate Commission
1915 N. Stiles Ave., Ste. 200
Oklahoma City, Oklahoma 73105

January 13, 2015

Dear Executive Director Slabotsky:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Real Estate Commission intends to take with respect to Board case E-2012-001. The proposed action is to prohibit a licensed real estate broker from acting as a real estate education course instructor for one year and to require completion of twelve hours of continuing education prior to applying to serve as an instructor. The licensee had a license rescinded by the Real Estate Appraiser Board after undergoing discipline by that Board for instructional deficiencies and not paying the resulting fines.

Oklahoma law authorizes the Board to “approve instructors and organizations offering courses of study in real estate and to further require them to meet standards to remain qualified.” 59 O.S.2011, § 858-208(11). The Board’s administrative rules impose a variety of requirements on instructors in the areas of competence and professionalism, which include Board rules governing disciplinary action for noncompliance with any provision of the Real Estate Licensing Code—which includes the laws governing real estate appraisers—or “[a]ny other improper conduct or activity of the . . . instructor.” OAC 605:10-5-1(k)(3), (7). The action seeks to ensure that instructors of real estate brokers or aspiring real estate brokers be held to a standard of professionalism in real estate activities. The Board may reasonably believe in the circumstances of this case that training requirements and a temporary bar on instruction will encourage professional, legally compliant conduct in the future.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Real Estate Commission has adequate support for the conclusion that this action advances the State of Oklahoma’s policy that real estate course instructors meet standards of competence and professionalism.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA