



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-28A

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

January 13, 2016

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 C-2014-012. The proposed action is to impose a fine of \$1,000 on a sales associate licensee. The licensee was directed to accept an amended listing agreement setting a higher listing price than the one initially listed for the property by the licensee. The licensee failed to set the higher listing price and actually received a full offer at the lower listing price.

Oklahoma law authorizes the Commission to discipline licensees who engage in any "conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings," and the Commission's rules include "bad faith or incompeten[t]" conduct under that rubric. 59 O.S.2011, § 858-312(8); OAC 605:10-17-4(12). The action seeks to uphold standards of competence and integrity in the performance of real estate activities. The Board may reasonably believe that a monetary penalty will adequately deter future violations and ensure that real estate agents list properties at prices set by clients.

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 to uphold standards of professionalism and integrity among real estate agents.

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

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA