



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-33A

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 pursuant to a consent agreement with respect to C-2014-010. The proposed action is to impose fines totaling \$2,655 after licensee failed to register licensee's trade name with the Commission, failed to notify property management clients of the deteriorated nature of a managed property, and failed to make an adequate response to the complaint before the Commission.

Oklahoma law authorizes the Commission to, "upon showing good cause, impose sanctions" on licensees. 59 O.S.2011, § 858-312. Good cause includes actions "[d]isregarding or violating any . . . rules promulgated by the Commission." *Id.* § 858-312(9). The Commission's administrative rules state that broker licensees "must register in writing to the Commission all trade names used in connection with real estate activities prior to the trade name being advertised or displayed in any way." OAC 605:10-9-3. Finally, licensees have an obligation to "file an adequate written response" with the Board. OAC 605:10-17-2(b). The action seeks to enforce these requirements through the imposition of fines that the Board may reasonably believe will adequately deter future violations.

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 "Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA