



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-35A

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 Board case C-2013-072. The proposed action is to impose a fine of \$1,500 on a broker licensee for violating an agreement to manage a property and provide staging services. The licensee authorized more tenants to rent the property than were authorized, and the licensee allowed an animal to live in the property with the tenants. The licensee also failed to respond to the client's complaint within 15 days of being notified.

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). Further, the Board's rules require all licensees to respond to complaints within 15 days of being notified. OAC 605:10-17-2(b). The action seeks to ensure that real estate licensees honor their agreements with clients, particularly with respect to decisions that may affect the quality and maintenance of the property as part of a staging agreement. The Board may reasonably believe the context of this case warrants a fine.

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