



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-189A

Katherine Smith, State Administrator
Oklahoma Abstractors Board
421 N.W. 13th Street, Suite 180
Oklahoma City, OK 73103

June 12, 2018

Dear Administrator Smith:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Abstractors Board intends to take pursuant to consent agreements in cases OAB-2017-W49 and OAB-2017-W50. One individual lodged separate complaints against two abstracting firms with common ownership for unnecessary delay of abstract. The Board proposes to fine the abstracting firm \$1,000 for each complaint and inspection penalties of \$2,000 and \$5,500 respectively, totaling \$9,500.

The Oklahoma Abstractors Act allows the Board to “prescribe and impose such administrative penalties and fines as deemed proper to be assessed against licensees and certificate holders . . . for the violation or noncompliance with any provision of the Oklahoma Abstractors Act or rule or order of the Oklahoma Abstractors Board.” 1 O.S.2011, § 25(8). It is a violation of the Act for an abstractor firm “to furnish an abstract, abstract extension, supplemental abstract or final title report” with “unnecessary delay[.]” *Id.* § 32(B). The Board may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Abstractors Board has adequate support for the conclusion that this action advances the State’s policy that abstractors provide abstracting documents without unnecessary delay.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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