



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-31A

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

January 31, 2018

Dear Executive Director Slabotsky:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Real Estate Commission intends to take pursuant to an agreed order with respect to case UC-2016-007. Respondent, J.A. is a licensed real estate broker, Respondent K.C. was a licensed real estate sales associate under the supervision of J.A. Ken Carpenter Auction, LLC was unlicensed at the time of these events, but is now properly licensed by the commission. J.A. failed to properly supervise the activities of K.C. Ken Carpenter Auction, LLC performed real estate activities while unlicensed. The Commission proposes to impose fines of \$1,750 against J.A., \$1,500 against K.C., and \$750 against Ken Carpenter Auction, LLC.

The Oklahoma Real Estate Code authorizes the Commission to, “upon showing good cause, impose sanctions” on licensees. 59 O.S.2011, § 858-312. Good cause for sanctions includes “conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings” and “[d]isregarding or violating any rules . . . promulgated by the Commission.” *Id.* § 858-312(8-9). Under the Commission’s rules, “untrustworthy, improper, fraudulent or dishonest dealings” include the “failure of a broker to properly supervise the activities of an associate.” OAC 605:10-17-4(6). The action seeks to enforce these requirements through the imposition of moderate administrative fines that the Commission 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’s policy to uphold standards of professionalism and integrity among real estate agents.

MIKE HUNTER
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