



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-442A

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

November 19, 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 agreement in case OAB-2018-INS-07182. During an investigation of a complaint, it was discovered that the licensee had committed unnecessary delay in the preparation of abstracts. The Board proposes to fine the licensee \$200.

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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ASSISTANT ATTORNEY GENERAL