



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2019-41A

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

February 4, 2019

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 a consent order in case OAB-2018-INS-10254. During an inspection, it was discovered that the licensee was using an outdated Uniform Abstract Form. The Board proposes to fine the abstracting firm \$100.

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). The rules promulgated by the Board require the use of a current Uniform Abstract Certificate. 5 OAC 5:11-3-9(4), (8). 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 of requiring abstractors to uphold statutory standards.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL