



JOHN M. O'CONNOR
ATTORNEY GENERAL

ATTORNEY GENERAL OPINION
2022-21A

Christine McEntire, Director
Oklahoma Real Estate Appraiser Board
400 N.E. 50th St.
Oklahoma City, OK 73105-1816

July 28, 2022

Dear Director McEntire:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Real Estate Appraiser Board intends to take in cases 19-044, 19-046, 19-047, 19-048, 19-049, 20-006 and 20-008.

The Oklahoma Certified Real Estate Appraisers Act authorizes the Board, upon finding a violation of the Act or Board rules, to revoke an appraiser's certificate. *See* 59 O.S.2021, § 858-723(A)(1). The Act requires adherence to the Uniform Standards of Professional Appraisal Practice, which contains professional requirements pertaining to ethics, competency, and scope of work. 59 O.S.2021, § 858-726. The Board may discipline licensees who (1) engage in "[a]n act . . . involving dishonesty [or] fraud" intending to "benefit the [licensee] . . . or injure another person[.]" (2) violate "the standards for the development or communication of real estate appraisals as provided in the . . . Act[.]" (3) fail or refuse to "exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal[.]" (4) are negligent or incompetent "in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal[.]" or (5) violates provisions of the Act, Board regulations or code of ethics. 59 O.S.2021, § 858-723(C)(5-9), (13). The Board may reasonably believe that the proposed action is necessary to prevent future violations.

In May 2019, the Board issued a consent order in prior enforcement proceedings against the Respondent. Respondent completed the terms of the order and was placed on a twelve-month probation. Terms of the Respondent's probation required her to submit monthly work logs identifying appraisal assignments for random review by the Board. According to Board complaints filed in the 2022 disciplinary action, the Respondent altered appraisal reports subject to Board review with the intent to prevent detection of substandard work product and accordingly avoid discipline; performed multiple appraisals that failed to meet the required standards; modified and amended appraisal reports while under a suspended license; failed to comply with the terms of her probation; and supervised others while on probation in violation of the terms and conditions of her probation.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Real Estate Appraiser Board has adequate support for the conclusion that this action advances the State's policy to uphold standards of competency and professionalism among real estate appraisers.



JOHN M. O'CONNOR
ATTORNEY GENERAL OF OKLAHOMA



THOMAS R. SCHNEIDER
DEPUTY GENERAL COUNSEL