



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-43A

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

February 8, 2017

Dear Executive Director Slabotsky:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Real Estate Commission intends to take with respect to Board case C-2014-024. The proposed action is to place the licensee on probation for two years and impose a \$2,000 fine for repeated convictions of crimes involving moral turpitude. During probation, the licensee must self-report any further misdemeanor or felony charges and convictions to the Commission within thirty days of the charge and conviction. The licensee's character is reasonably questioned based on the convictions received for driving under the influence, malicious injury, destruction of property, and driving under suspension in violation of state law.

Oklahoma law authorizes the Commission to impose discipline on licensees whose conduct "constitutes untrustworthy, improper, fraudulent, or dishonest dealings;" who "[d]isregard[] or violat[e] any provision of the Oklahoma Real Estate License Code or rules promulgated by the Commission;" and who are "[u]nworth[y] to act as a real estate licensee" because of a "crime involving moral turpitude." 59 O.S.2011, § 858-312(8), (9), (15). The Commission is authorized to impose, among other things, probation for a specified period of time, additional education requirements, and administrative fines upon good cause. 59 O.S.2011, § 858-208(6)(b), (c), (f). The Code imposes an obligation on a licensee of the Board to "notify the Commission in writing of the conviction or plea of guilty or nolo contendere to any felony offense within thirty (30) days after the plea is taken and also within thirty (30) days of the entering of an order of judgment and sentencing. 59 O.S.2011, § 858-301.2. This action seeks to uphold standards of integrity among the Commission's licensees and protect the public from untrustworthy real estate activity. The Commission may reasonably believe that placing the license on probation and imposing a moderate fine is adequate to protect the public.

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 of Oklahoma's policy to prevent untrustworthy conduct by real estate professionals.

A handwritten signature in blue ink that reads "E. Scott Pruitt". The signature is stylized with a large, sweeping initial "E" and a long, horizontal flourish at the end.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA