



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-507A

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

June 28, 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 pursuant to a consent agreement with respect to Board case C-2016-068. The proposed action is to impose a \$250.00 fine against a real estate broker and a licensed corporation managed by the broker licensee, for a total administrative fine of \$500.00. The licensee was alleged to have conspired with the complainant's common law wife to place the title to a property being purchased solely in the name of the wife, cheating the complainant of an interest in the property. During the investigation and after a written demand, the licensee failed to provide a timely written response to the notice. After the investigation, there was no evidence presented to substantiate the allegations, but the licensee failed to timely respond.

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 "[d]isregarding or violating any provision of the [Act] or rules promulgated by the Commission." *Id.* § 858-312(9). The Commission's rules require a licensee "to file an adequate written response within fifteen (15) days of the notice" of a complaint that has been filed. OAC 605:10-17-2(b). The action seeks to enforce these requirements through the imposition of moderate administrative fines that the Board may reasonably believe is necessary to 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 of Oklahoma's policy to uphold standards of professionalism and integrity among real estate agents.

MIKE HUNTER
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