



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2021-50A

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

November 17, 2021

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 case 20-042, in which it is alleged that Respondent performed an appraisal that failed to meet the required standards. The Board proposes to require Respondent to complete corrective education courses, after which Respondent will be placed on a six-month probation, and to pay an amount equal to the costs expended by the Board for legal fees and travel costs incurred in this matter. Failure to comply with these requirements will result in Respondent's license being suspended.

The Oklahoma Certified Real Estate Appraisers Act authorizes the Board, upon finding a violation of the Act or Board rules, to suspend an appraiser's certificate, order the completion of educational programs, and require payment of costs expended by the Board. *See* 59 O.S.2021, § 858-723(A)(2), (7), (9). 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.2011, § 858-726. The Board may discipline licensees who violate "the standards for the development or communication of real estate appraisals as provided in the . . . Act," fail or refuse to "exercise reasonable diligence in developing an appraisal, preparing an appraisal report or communicating an appraisal," are negligent or incompetent "in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal," or "[w]illfully disregard[] or violat[e] any of the provisions of the . . . Act" 59 O.S.2021, § 858-723(C)(6-9). The Board may reasonably believe that the proposed action is necessary to prevent future violations.

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
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