

Denver N. Davison Building | 1915 N. Stiles – Suite 200 | Oklahoma City, Oklahoma 73105-4915

#### February 21, 2024

## **AGENDA**

## **OPENING OF BUSINESS MEETING**

- I. Call to Order at 9:30 am
- II. Invocation and Pledge of Allegiance
- III. Approval of December 13, 2023, Meeting Minutes
- IV. Public Participation ("Open Topic")
- V. The Commission may vote to approve, disapprove, or take other action on any item listedon this Agenda

## FORMAL ACTIONS

## **HEARING EXAMINER REPORTS**

## **C-2023-68: Rosinely Ruiz (SA)**

Proposed Final Order Finding **Rosinely Ruiz** is in violation of the following:

- a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(12), in that, Respondent engaged in conduct that constitutes untrustworthy, improper, fraudulent, or dishonest dealings by disregarding or violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by demonstrating bad faith or incompetency.
- **b. Title 59 O.S.** § **858-312(2), 312(9) and** *Okla. Admin. Code* **605:10-17- 5(1),** in that, Respondent disregarded or violated a provision of the Oklahoma Real Estate License Code or Page **1** of **17**

Rules promulgated by the Commission by making a substantial misrepresentation to influence others by using a false instrument for the purpose of inducing a lender or government agency to loan or insure a sum of money.

## **Recommendation:**

**Respondent Rosinely Ruiz's** license should be **revoked** without Administrative Fines.

Pursuant to 25 O.S. § 307(B)(8), an Executive Session is available to deliberate or render a final or intermediate decision.

- 1. Vote to enter into Executive Session
- 2. Discussion in Executive Session
- 3. Vote to return to Open Session
- 4. Commission to vote/take appropriate action

## **C-2023-275: Megan Bunger (SA)**

Proposed Final Order Finding **Megan Bunger** is in violation of the following:

- a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(12), in that, Respondent engaged in conduct that constitutes untrustworthy, improper, fraudulent, or dishonest dealings by violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission through conduct demonstrating bad faith or incompetency.
- **b. Title 59 O.S.** § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-5(2), in that, Respondent engaged conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to timely deliver RPCD disclosures regarding the condition of a parcel of real estate of which she had knowledge because she forged a client name and signature to the document.
- **c.** Title 59 O.S. § 858-312(8) and 60 O.S. § 836(B), in that, Respondent engaged in conduct that violates the Residential Property Condition Disclosure Act by failing to make a disclaimer or disclosure statement available to the purchaser prior to the acceptance of an offer.
- **d. Title 59 O.S.** § 838-312(2), in that, Respondent made substantial misrepresentations in the conduct of business to influence, persuade, or induce others by signing real estate documents as her client without their permission.

## **Recommendation:**

Respondent Megan Bunger's license should be suspended for a period of 1 year, assessed a fine of \$2,000, and required to take three (3) hours of continuing education classes on

#### contracts.

Pursuant to 25 O.S. § 307(B)(8), an Executive Session is available to deliberate or render a final or intermediate decision.

- 1. Vote to enter into Executive Session
- 2. Discussion in Executive Session
- 3. Vote to return to Open Session
- 4. Commission to vote/take appropriate action

## **DISCIPLINARY ACTIONS**

## **CONSENT ORDERS**

## **C-2023-363: Patrick Moore (SA)**

Investigations determined **Patrick Moore** is in violation of the following:

- a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(13), in that, Respondent signed documents on his client's behalf without their permission.
- **b. Title 59 O.S.** § **858-312(2)** and *Okla. Admin. Code* **605:10-17-5(2)**, in that, Respondent misrepresented offers and counteroffers throughout the TRR negotiations.

#### **Consent Order:**

- 1. Respondent Patrick Moore hereby consents to Suspension of Real Estate License (License No. 139471) for Two (2) Years from the acceptance of this Consent Order.
- 2. Respondent Patrick Moore hereby consents to an Administrative Fine totaling Five Thousand Dollars (\$5,000).

## C-2023-364: Luis Escobar (SA) and Juan Hernandez (MB)

Investigations determined **Luis Escobar** is in violation of the following:

- **a. Title 59 O.S. § 858-301,** in that, Respondent engaged in licensable activity without an active Oklahoma real estate license.
- **b.** Title 59 O.S. § 858-312(8) (9) and Okla. Admin. Code 605:10-9-4(b)(3)(B), in that,

Respondent advertised under an unregistered alias.

Investigations determined **Juan Hernandez** is in violation of the following:

- a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(7), in that, Respondent failed to supervise the activities of his associate.
- **b.** Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(20), in that, Respondent cooperated with an unlicensed person to perform real estate activities.
- c. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(22), in that, Respondent failed to monitor the license status of his associate.
- **d. Title 59 O.S. § 858-312(14)**, in that, Respondent paid a commission to an unlicensed person for the performance of real estate services.

## **Consent Order:**

- 1. Respondent Luis Escobar hereby consents to an Administrative Fine totaling Five Thousand Dollars (\$5,000).
- 2. Respondent Juan Hernandez hereby consents to an Administrative Fine totaling Five Thousand Dollars (\$5,000).

## **C-2023-363: Wally Kerr (MB)**

Investigations determined **Wally Kerr** is in violation of the following:

a. Title 59 O.S. § 858-312(8)-(9) and Okla. Admin. Code 605:10-17-4(7), in that, Respondent failed to supervise the activities of his sales associate.

## **Consent Order:**

1. Respondent Wally Kerr hereby consents to an Administrative Fine totaling Seven Hundred and Fifty Dollars (\$750).

## C-2023-398: Lisa Riggle (SA) and Claudia Kittrell (MB)

Investigations determined **Lisa Riggle** is in violation of the following:

- a. Title 59 O.S. § 858-312(3) and 59 O.S. § 858-353(2)(c), in that, Respondent failed to timely present all written offers and counteroffers.
- b. Title 59 O.S. § 858-312(8)-(9) and Okla. Admin. Code 605:10-17-4(13), in that,

Respondent kept a client from being able to purchase a property and let a property go under contract while there was an outstanding counteroffer with another party.

Investigations determined **Claudia Kittrell** is in violation of the following:

- a. Title 59 O.S. § 858-312(9) and *Okla. Admin. Code* 605:10-17-4(7), in that, Respondent failed to supervise the activities for her associate.
- **b.** Title 59 O.S. § 858-312(9) and *Okla. Admin. Code* 605:10-17-4(13), in that, Respondent allowed her sales associate to let a property go under contact while there was an outstanding offer with another party.

## **Consent Order:**

- 1. Respondent Lisa Riddle hereby consents to an Administrative Fine totaling Two Thousand Dollars (\$2,000), Three (3) hours of Continuing Education on Contracts and One (1) hour of Continuing Education on Oklahoma Real Estate Commission Code and Rules.
- 2. Respondent Claudia Kittrell hereby consents to an Administrative Fine totaling Five Hundred Dollars (\$500).

## C-2023-416: Krista Huisenga (MB)

Investigations determined **Krista Huisenga** is in violation of the following:

a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(17), in that, Respondent accessed property without permission from the property's owner.

## **Consent Order:**

1. Respondent Krista Huisenga hereby consents to an Administrative Fine totaling One Thousand Five Hundred Dollars (\$1,500).

## **C-2023-196: Sarah Jones (SA)**

Investigations determined **Sarah Jones** is in violation of the following:

a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(17), in that, Respondent allowed access to real property without owner authorization.

## **Consent Order:**

1. Respondent Sarah Jones hereby consents to an Administrative Fine totaling One

## C-2023-428: Leasha Howell-Larkpor (MB)

Investigations determined **Leasha Howell-Larkpor** is in violation of the following:

a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(13), in that, Respondent altered an addendum document after all parties had signed and executed the document.

## **Consent Order:**

**1. Respondent Leasha Howell-Larkpor** hereby consents to an Administrative Fine totaling **One Thousand Dollars (\$1,000).** 

## **C-2023-348: Kiera Proud (SA)**

Investigations determined **Kiera Proud** is in violation of the following:

- a. Title 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(13), in that, Respondent distributed post cards with misrepresentations on them that implied, she was responsible for a transaction she was not involved in.
- **b. Title 59 O.S.** § 858-312(9) and *Okla. Admin. Code* 605:10-9-4(a)(5), in that, Respondent distributed misleading post card advertisements.
- c. Title 59 O.S. § 858-312(2), in that, Respondent distributed post card advertisements with misrepresentations on them.
- **d. Title 59 O.S.** § **858-312(11),** in that, Respondent advertised a property sale without the owner's consent.

## **Consent Order:**

1. Respondent Kiera Proud hereby consents to an Administrative Fine totaling Seven Hundred and Fifty Dollars (\$750).

## **C-2023-348: Jason Soper (MB)**

Investigations determined **Jason Soper** is in violation of the following:

a. Title 59 O.S. § 858-312(8)-(9) and Okla. Admin. Code 605:10-17-4(7), in that,

Respondent failed to supervise the activities of his sales associate.

**b. Title 59 O.S.** § **858-312(11),** in that, Respondent's sales associate advertised a property sale without the owner's consent.

## **Consent Order:**

1. Respondent Jason Soper hereby consents to an Administrative Fine totaling Three Hundred and Fifty Dollars (\$350).

## **C-2023-282: Danny Kirby (SA)**

Investigations determined **Danny Kirby** is in violation of the following:

- a. Title 59 O.S. §§ 858-312(8)-(9) and 858-301.2, in that, Respondent failed to notify the Commission of the conviction within thirty (30) days of the judgment and sentencing.
- **b. Title 59 O.S.** §§ 858-312(15), in that, Respondent was convicted of a felony that demonstrates an unworthiness to act as a real estate licensee.

## **Consent Order:**

**1. Respondent Danny Kirby** hereby consents to the **Voluntary Surrender** of his Oklahoma Sales Associate license, License No. 51586, pending the outcome of his criminal appeal. If the conviction is overturned, he may reinstate his Oklahoma Sales Associate license upon evidence of the overturned conviction.

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

- 1. Vote to enter into Executive Session
- 2. Discussion in Executive Session
- 3. Vote to return to Open Session
- 4. Commission to vote/take appropriate action on the Consent Order

## ~END OF FORMAL ACTIONS~

## **CASE EXAMINER REPORTS**

## C-2023-287: James Dray Jr. (MB), Fathom Realty OK, LLC and Fathom Realty OK, LLC (BO)

Possible Violation(s) by Respondent **James Dray Jr**.:

- **a. Title 59 O.S.** § **858-312(8) (9) and** *Okla. Admin. Code* **605:10-17-4(7)**, in that, Respondent may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to supervise the activities of a sales associate.
- **b. Title 59 O.S.** § 858-312(8) (9) and *Okla. Admin. Code* 605:10-7-7(A), in that, Respondent may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to license each additional office location as a branch office as they held themselves out as engaged in licensable activities though the office building signage and/or building advertisement before acquiring the necessary branch office license.

Possible Violation(s) by Respondent Fathom Realty OK, LLC:

- **a.** Title 59 O.S. § 858-312(8) (9) and *Okla*. *Admin*. *Code* 605:10-17-4(7), in that, Respondent may have engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to supervise the activities of a sales associate.
- **b. Title 59 O.S.** § 858-312(8) (9) and *Okla. Admin. Code* 605:10-7-7(A), in that, Respondent may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to license each additional office location as a branch office as they held themselves out as engaged in licensable activities though the office building signage and/or building advertisement before acquiring the necessary branch office license.

Possible Violation(s) by Respondent **Fathom Realty OK, LLC (BO)**:

**a.** Title 59 O.S. § 858-301 and § 858-401, in that, Respondent may have engaged in licensable real estate activities prior to obtaining the required real estate license by soliciting owners of properties for rent or lease and soliciting for prospective clients within the State of Oklahoma and may have received a commission or other valuable consideration from those transactions.

## **Recommendation:**

The Case Examiner requests the Commission conduct a hearing and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

# C-2023-319: Juan Castro (SA), Ryan Woods (BA), Kathy Fowler (MB), Exp Realty, LLC, Exp Realty, LLC (BO)

Investigations reviewed all documents & materials and found no clear and convincing evidence of violations of the Oklahoma Real Estate Commission Code or Administrative Rules.

## **Recommendation:**

The Case Examiner requests the Commission dismiss this case and issue a Letter of Caution.

## C-2023-432: Jonathan Knight (SA), Kathleen Fowler (MB), and Exp Realty, LLC

Possible Violation(s) by Respondent **Jonathan Knight**:

- **a.** Title 59 O.S. § 858-312(8)-(9) and *Okla*. *Admin*. *Code* 605:10-17-4(10), in that, Respondent may have disregarded or violated provisions of the Oklahoma Real Estate License Code and Administrative Rules by failing to respond in writing to the Commission regarding a complaint.
- **b. Title 59 O.S.** § **858-312(8) (9) and** *Okla. Admin. Code* **605:10-9-4(c)**, in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by the Commission by advertising an unregistered team name on social media platforms.
- **c.** Title 59 O.S. § 858-312(8) (9) and *Okla. Admin. Code* 605:10-17-4(13), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by demonstrating bad faith or incompetency.

Possible Violation(s) by Respondents Kathleen Fowler and EXP Realty, LLC:

- a. Title 59 O.S. § 59 O.S. § 858-312(8) (9) and *Okla. Admin. Code* 605:10-17-4(10), in that, Respondents may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to respond in writing to the Commission regarding a complaint.
- **b. Title 59 O.S.** § 858-312(8) (9) and *Okla. Admin. Code* 605:10-17-4(7), in that, Respondents may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to supervise the activities of their associate.
- c. Title 59 O.S. § 858 -312(8) (9) and *Okla. Admin. Code* 605:10-9-3.2(d), in that, Respondents may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to register a team name.

## **Recommendation:**

The Case Examiner requests the Commission conduct a hearing and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

## C-2023-461: Ricki Hwang (MB) and Fidelity Real Estate, Inc.

Possible Violation(s) by Respondents Ricki Hwang and Fidelity Real Estate:

- **a.** Title 59 O.S. § 858-312(8) (9) and *Okla. Admin. Code* 605:10-17-4(13), in that, Respondent may have engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by demonstrating bad faith or incompetency.
- **b. Title 59 O.S. § 858-312(2) and** *Okla. Admin. Code* **605:10-17-5(2),** in that, Respondent may have made substantial misrepresentations by failing to disclose a known material defect regarding the condition of parcel of real estate.

## **Recommendation:**

The Case Examiner requests the Commission conduct a hearing and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

## <u>C-2023-539: Brenda Richey (SA), Mark Wilkerson (MB), Leadership Real Estate</u> Investments, Inc., and Keller Williams Realty Platinum

Possible Violation(s) by Respondent **Brenda Richey**:

- **a.** Title 59 O.S. § 858-312(8) (9) and *Okla. Admin. Code* 605:10-17-4(13), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by the Commission by demonstrating bad faith or incompetency.
- **b.** Title 59 O.S. § 858-312(9) and *Okla. Admin. Code* 605:10-9-4(c), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by advertising an unregistered team name on a social media page and website.

Possible Violation(s) by Respondents: Mark Wilkerson and Leadership Real Estate Investments Inc./ Keller Williams Realty Platinum

- a. Title 59 O.S. § 858-312(8) (9) and *Okla. Admin. Code* 605:10-17-4(7), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to supervise the activities of their associate.
- **b.** Title 59 O.S. § 858-312(9) and *Okla. Admin. Code* 605:10-9-3.2(d), in that, Respondent may have violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by allowing the use of an unregistered trade/team name.

## **Recommendation:**

The Case Examiner requests the Commission conduct a hearing and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

# C-2023-281: Holly Bolay (SA), Jennifer Harmon (BB), Julie Smith-Pittman (MB), LBWS Owasso Inc./KW Realty Premier and LBWS Owasso Inc./KW Realty Premier (BO)

Possible Violation(s) by Respondent **Holly Bolay:** 

- a. Title 59 O.S. § 858-312(8) (9), and *Okla. Admin. Code* 605:10-17-4(9), in that, Respondent may have engaged in conduct which constitutes untrustworthy, improper, or dishonest dealings by violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to inform the seller in writing at the time the offer is presented an expected Net to Seller Calculations Form.
- **b. Title 59 O.S. § 858-312(8) (9), and** *Okla. Admin. Code* **605:10-17-4(24),** in that, Respondent may have engaged in conduct which constitutes untrustworthy, improper, or dishonest dealings by violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to maintain documents relating to a real estate transaction.

Possible Violation(s) by Respondent Julie Smith-Pittman, Jennifer Harmon, LBWS Owasso Inc./KW Realty Premier, and LBWS Owasso Inc./KW Realty Premier (BO):

a. Title 59 O.S.  $\S$  858-312(8) – (9) and *Okla. Admin. Code* 605:10-17-4(7), in that, Respondents may have disregarded or violated provisions of the Real Estate License Code and rules by failing to supervise the activities of a sales associate.

## **Recommendation:**

The Case Examiner requests the Commission conduct a hearing and, upon proof of the Page 11 of 17

allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

## C-2023-483: Jessica Butler-Fox (SA), Jason Soper (MB), and Salt Real Estate, Inc.

Possible Violation(s) by Respondent **Jessica Butler-Fox**:

- a. Title 59 O.S.  $\S$  858-312(8) (9), and *Okla. Admin. Code* 605:10-7-5(a), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to file a change of name within 10 days of the change.
- **b. Title 59 O.S.** § 858-312(8) (9) and *Okla. Admin. Code* 605:10-17-4(10), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to respond to a complaint in writing.

Possible Violation(s) by Respondents **Jason Soper** and **Salt Real Estate**, **Inc**.

**a.** Title 59 O.S. § 858-312(8) – (9) and *Okla. Admin. Code* 605:10-17-4(7), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to supervise the activities of a sales associate.

## **Recommendation:**

The Case Examiner requests the Commission conduct a hearing and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

## C-2023-333: Nelmon's Real Estate, LLC, Nelmon Brauning (MB), and Kevin Hanna (SA)

Possible Violation(s) by **Respondent Hanna**:

- a. Title 59 O.S. § 858-312(9) and *Okla. Admin. Code* 605:10-9-4(D)(1), in that, Respondent may have may have disregarded or violated provisions of the Oklahoma Real Estate License Code or Administrative Rules by failing to disclose license status on lease contract.
- **b. Title 59 O.S.** § **858-312(9)** and *Okla. Admin. Code* **605:10-9-4(D)(1)**, in that, Respondent may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to disclose license status on a lease contract.

Possible Violation(s) by Respondent Brauning and Nelmon's Real Estate, LLC:

- **a.** Title 59 O.S. § 858-312(8)-(9), *Okla. Admin. Code* 605:10-17-4(7), in that, Respondents may have engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by disregarding or violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by permitting an associate to operate as broker or failing to supervise.
- **b. Title 59 O.S. § 858-312(9),** *Okla. Admin. Code* **605:10-17-4(7),** in that, Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to supervise the activities of an associate.

## **Recommendation:**

The Case Examiner requests the Commission conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

## C-2023-453: Chris Campbell Realty, LLC and Chris Campbell (MB)

Possible Violation(s) by Respondents Chris Campbell Realty, LLC & Chris Campbell:

- **a.** Title 59 O.S. § 858-312(8)-(9) and Okla. Admin. Code 605:10-17-4(7) and Okla. Admin. Code 858-355.1(C), in that, Respondents may have engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by disregarding or violating a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to disclose any interest in property licensee is selling and failing to disclose dual agency.
- **b.** Title 59 O.S. § 858-312(9), *Okla. Admin. Code* 605:10-17-4(7), and *Okla. Admin. Code* 858-355.1 (C), in that, Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to disclose interest in property licensee is selling and failing to disclose dual agency.

#### **Recommendation:**

The Case Examiner requests the Commission conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional license(s).

## **GENERAL BUSINESS**

- 1. Executive Director's Report
- 2. Administrative Rules Hearing 2024 Proposed Permanent Administrative Rule Changes
  - I. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:1-1 (General Provisions)
    - a. *Okla. Admin. Code* § 605:1-1-4(f) (Contract Forms Committee Nominations; Committee Member Term Lengths)
  - II. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-1 (General Provisions)
    - a. Okla. Admin. Code § 605:10-1-2 (Entity and firm definition)
    - b. *Okla. Admin. Code* § 605:10-1-4 (Removal of unnecessary returned check process and fee)
  - III. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-3 (Education and Examination Requirements)
    - a. *Okla. Admin. Code* § 605:10-3-1 (Removal of redundant course content language; removal of unnecessary education provider list; hybrid courses)
    - b. *Okla. Admin. Code* § 605:10-3-2 (Removal of bankruptcy language; national background check fee)
    - c. Okla. Admin. Code § 605:10-3-3 (Applications for Licensure)
    - d. Okla. Admin. Code § 605:10-3-4 (Removal of redundant broker applicant experience)
    - e. *Okla. Admin. Code* § 605:10-3-4.1 (Removal of redundant broker associate applicant experience)
    - f. Okla. Admin. Code § 605:10-3-5 (Removal of disciplinary examination fees)
    - g. *Okla. Admin. Code* § 605:10-3-6 (Removal of unnecessary course purpose, goal, and objective language; required continuing education hours and contract/forms hours)
    - h. *Okla. Admin. Code* § 605:10-3-7 (Removal of unnecessary course purpose, goal, and objective language; hybrid courses)
  - IV. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-5 (Instructor and Entity Requirements)

- a. *Okla. Admin. Code* § 605:10-5-1 (Pre-license course application fee and terms; pre-license instructor application fee; pre-license instructor renewal fee and requirements; pre-license course evaluations; pre-license course renewal fee and requirements; pre-license notice requirements)
- b. *Okla. Admin. Code* § 605:10-5-1.1 (Post-license course application fee and terms; post-license instructor application fee; post-license instructor renewal fee and renewal requirements; post-license course evaluations; post-license course renewal fee and requirements)
- c. *Okla. Admin. Code* § 605:10-5-2 (Continuing education course application fee and terms; advertising of course offering; continuing education instructor application fee)
- d. Okla. Admin. Code § 605:10-5-3 (Hybrid courses; removal of required notices)
- e. *Okla. Admin. Code* § 605:10-5-4 (Education provider application fee and terms; education provider renewal fee and terms; Education provider reporting requirements)

# V. Review, Discussion, and Possible Action – Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-7 (Licensing Procedures and Options)

- a. Okla. Admin. Code § 605:10-7-1 (Branch broker name)
- b. Okla. Admin. Code § 605:10-7-1.1 (Removal of unnecessary date language)
- c. Okla. Admin. Code § 605:10-7-2 (Broker proprietor issuance and renewal fees; education and recovery fund fee)
- d. Okla. Admin. Code § 605:10-7-5 (Group name changes)
- e. *Okla. Admin. Code* § 605:10-7-6 (Certification of license history and letter of good standing)
- f. Okla. Admin. Code § 605:10-7-7 (Branch broker name; reappointment of branch broker)
- g. Okla. Admin. Code § 605:10-7-8 (Business entity language; reappointment of broker)
- h. Okla. Admin. Code § 605:10-7-8.1 (Reappointment of broker; group change fee)
- i. Okla. Admin. Code § 605:10-7-8.3 (Proprietorship release)
- j. *Okla. Admin. Code* § 605:10-7-8.4 (Payment of commission entity registration and approval; restricted activities of commission entity)
- k. *Okla. Admin. Code* § 605:10-7-9 (Nonresident service of process; nonresident application requirements; continuing education requirements for nonresidents;)

- 1. *Okla. Admin. Code* § 605:10-7-10 (Resident applicants previously licensed in other jurisdictions application requirements, continuing education requirements)
- m. Okla. Admin. Code § 605:10-7-11 (Applicant criminal history check)
- VI. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-9 (Broker's Operational Procedures)
  - a. Okla. Admin. Code § 605:10-9-3 (Trade name registration)
  - b. Okla. Admin. Code § 605:10-9-3.2 (Team name registration)
  - c. *Okla. Admin. Code* § 605:10-9-4 (Licensee acting as power of attorney disclosure requirements)
  - d. Okla. Admin. Code § 605:10-9-6 (License certificate and pocket card
  - e. Okla. Admin. Code § 605:10-9-8 (Branch broker name)
- VII. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-11 (Associate's Licensing Procedures)
  - a. Okla. Admin. Code § 605:10-11-2 (Associate notice of transfer to broker)
- VIII. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-13 (Trust Account Procedures)
  - a. *Okla. Admin. Code* § 605:10-13-1 (Financial institution requirements for security deposits; record retention)
- IX. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-15 (Disclosures, Brokerage Services and Statute of Frauds)
  - a. Okla. Admin. Code § 605:10-15-1 (Beneficial interest disclosure)
  - b. Okla. Admin. Code § 605:10-15-2 (Removal of unnecessary date language)
  - c. Okla. Admin. Code § 605:10-15-4 (Removal of unnecessary date language)
- X. Review, Discussion, and Possible Action Proposed Permanent Rule Amendments to Okla. Admin. Code § 605:10-17 (Causes for Investigation; Hearing Process; Prohibited Acts; Discipline)
  - a. Okla. Admin. Code § 605:10-17-1.1 (Definition of formal hearing terms)

- b. Okla. Admin. Code § 605:10-17-2 (Complaint procedures)
- c. Okla. Admin. Code § 605:10-17-3 (Complaint hearings; broker attendance)
- d. Okla. Admin. Code § 605:10-17-4 (Branch broker name)

## **EDUCATION**

Education Director, Matthew Holder - Monthly Education Report

## FINANCIAL & LICENSING

Monthly Financial & Licensing Report – Deputy Director, Bailey Crotty

## **NEW BUSINESS**

Any new business not known about or reasonably foreseen prior to the time of posting of this agenda

## UPCOMING MEETING DATES (Subject to Change)

May 8, 2024 July 10, 2024 September 18, 2024\*(OAR conference) December 11, 2024

## **ADJOURNMENT**

The Chair will call the meeting adjourned upon conclusion of all Commission business