

**OKLAHOMA REAL ESTATE COMMISSION
REGULAR BUSINESS MEETING**

Edmond Board of Realtors
1065 N. Bryant Avenue
Edmond, Oklahoma 73034

June 8, 2022

AGENDA

OPENING OF BUSINESS MEETING

1. Call to Order at 9:30 am
 2. Invocation and Pledge of Allegiance
 3. Approval of March 9, 2022, Meeting Minutes
 4. Public Participation (“Open Topic”)
 5. The Commission may vote to approve, disapprove, or take other action on any item listed on this Agenda
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DISCIPLINARY ACTIONS

CONSENT ORDERS

C-2022-312: Kathy Fowler (MB), EXP Realty, LLC, and Samantha Ritter [R. Baker]

Violation(s) by Respondent **Samantha Ritter (SA)**:

- a. **59 Okla. Stat. §§ 858-312(12), 858-312(6), 858-312(21) and Okla. Admin. Code §§ 605:10-17-6(12) and 605:10-17-6(21)** as Respondent Ritter (SA) violated or disregarded provisions of the Oklahoma Real Estate License Code and Administrative Rules by: (1) paying part of a commission to an unlicensed person, (2) failing to disclose an immediate family relationship to a party in the transaction for which brokerage services are being provided, and (3) agreeing to pay buyer a part of the licensee's commission in connection with making an offer on a specific property.
- b. Respondents **Kathleen Fowler** and **EXP Realty, LLC** are **not** in violation as a result of their prompt and responsible action to self-report this incident.

Consent: Respondent **Kathy Fowler (MB)** is hereby **dismissed** from this Complaint. Respondent **EXP Realty, LLC** is hereby **dismissed** from this Complaint. Respondent **Samantha Ritter (SA)** hereby consents to: (i) a **Three Thousand Dollar (\$3,000)** Administrative Fine, (ii) **completion of one (1) Ethics course with an approved Oklahoma School of Real Estate Education within 30 days of acceptance of this Order, and (iii) a letter of caution shall be added to Respondent Ritter's file.**

C-2022-91: Shangri-LA Realty, Inc., Rami Masri (MB) and William Corlett, Jr. [D. Hall]

Violation(s) by Respondents **Shangri-La Realty, Inc., and Rami Masri (MB):**

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code §§ 605:10-17-4(6), 605:10-17-4(21),** as Respondents failed to properly supervise the activities of Respondent Corlett by allowing him to continue practicing licensable real estate activities without an active real estate license for two months, during which Respondent Corlett completed one (1) transaction.

Violation(s) by Respondent **William Corlett:**

- b. **59 Okla. Stat. §§ 858-301, 858-401 and Okla. Admin. Code § 605:10-17-4(12),** as Respondent Corlett engaged in licensable real estate activities and earned commissions or valuable consideration without an active Oklahoma real estate license.

Consent: Respondent Shangri-La Realty Inc., hereby consents to a **Five Hundred Dollar (\$500)** Administrative Fine. **Respondent Rami Masri (MB)** hereby consents to a **One Thousand Dollar (\$1,000)** Administrative Fine. **Respondent William Corlett** hereby consents to a **One Thousand Dollar (\$1,000)** Administrative Fine.

C-2022-67: Kathy Fowler (MB), EXP Realty, LLC and Jerri Shepherd (BA) [D. Hall]

Violation(s) by Respondent **Jerri Shepherd:**

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code §§ 605:10-9-7, 605:10-13-1(n)**, as Respondent Shepherd violated or disregarded provisions of the Oklahoma Real Estate License Code and Administrative Rules by exiting a brokerage under her supervision and failing to comply with basic requirements related to: cessation of business practices, notification to the Commission, releasing associates under her supervision and leaving such associates unsupervised in the brokerage.

Violation(s) by Respondent **Kathy Fowler (MB) and EXP Realty, LLC:**

- b. **59 Okla. Stat. § 858-312(9) and Okla. Admin. Code § 605:10-9-3.2(b)**, as Respondents violated provisions of the Oklahoma Real Estate License Code or Rules by registering a team name which was identical to a licensed a real estate business entity. The team name “Legacy Three Realty Premier” was actively licensed as a real estate entity (173522) at the time EXP Realty registered the team name.

Consent: Respondent **Jerri Shepherd** hereby consents to a **Two Thousand Five Hundred Dollar (\$2,500)** Administrative Fine. Respondent **Kathy Fowler (MB)** hereby consents to a **Four Hundred Dollar (\$400)** Administrative Fine and agrees to implement updates to onboarding hiring procedures with respect to registration of team and trade names. Respondent **EXP Realty, LLC** hereby consents to a **Five Hundred Dollar (\$500)** Administrative Fine.

C-2022-13: Garon Rayburn (MB), Lionshead Realty, LLC, Jimmy Ogle, Joseph Jones [R. Baker]

Violation(s) by Respondents **Garon Rayburn and Lionshead Realty, LLC:**

- a. **59 Okla. Stat. §§ 858-312(8) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents violated, or disregarded provisions of the Oklahoma Real Estate License Code and Administrative Rules promulgated by the Commission by failing to properly supervise the activities of associate(s) who failed to make a required written disclosure in a transaction.

Violation(s) by Respondent **Jimmy Ogle:**

- b. **59 Okla. Stat. §§ 858-312(21) and Okla. Admin. Code §§ 605:10-9-4(d)(1)**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to disclose in writing on all purchase and/ or lease contracts that pertain to the transaction and in all advertisements that he is licensed and failed to include his license number.

Violation(s) by Respondent **Joseph Jones:**

- c. **59 Okla. Stat. §§ 858-312(8) and Okla. Admin. Code §§ 605:10-9-4(d)(1)**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules by failing to disclose in writing on all purchase and/ or lease contracts that pertain to the transaction that the buyer was licensed and failed to include his license number.

Consent: Respondent **Garon Rayburn** hereby consents to a **Seven Hundred and Fifty Dollar (\$750)** Administrative Fine. Respondent **Lionshead Realty, LLC** is hereby **dismissed** from this Complaint. Respondent **Jimmy Ogle** hereby consents to a **Seven Hundred and Fifty Dollar (\$750)** Administrative Fine. Respondent **Joseph Jones** hereby consents to a **Seven Hundred and Fifty Dollar (\$750)** Administrative Fine.

C-2022-92: Kathy Fowler (MB), EXP Realty, LLC, Jerri Shepherd, and Legacy Three Realty Premier (Unlicensed) [D. Hall]

Violation(s) by Respondents **Jerri Shepherd** and **Legacy Three Realty Premier (Unlicensed):**

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-7-7(a)**, as Respondents violated or disregarded provisions of the Oklahoma Real Estate License Code and Administrative Rules by failing to properly license a branch office location, as they advertised or held themselves out as engaged in licensable activities via office building signage and/or building advertisement before acquiring the necessary branch office license.

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

- b. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code §§ 605:10-17-4(6), 605:10-7-7(a)**, as Respondents violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to properly supervise the activities of an associate, as they failed to ensure the branch office and advertising activities of Jerri Shepherd were in compliance.

Consent: Respondent **Jerri Shepherd** hereby consents to a **One Thousand Dollar (\$1,000)** Administrative Fine. Respondent **Legacy Three Realty Premier** is hereby **dismissed** from this Complaint. Respondent **Kathy Fowler** hereby consents to a **Five Hundred Dollar (\$500)** Administrative Fine **and** agrees to implement updates to onboarding hiring procedures with respect to branch office approvals. Respondent **EXP Realty, LLC** hereby consents to a **Seven Hundred and Fifty Dollar (\$750)** Administrative Fine.

C-2022-42: Linda Fitch & Associates, Inc., Hillary Martin (MB), Matthew Cottle, and Matthew Cottle Realty (Unlicensed) [D. Hall]

Violation(s) by Respondents **Linda Finch & Associates, Inc.**, and **Hillary Martin:**

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Cottle as he advertised using an unregistered team / trade name.

Violation(s) by Respondent **Matthew Cottle:**

- b. **59 Okla. Stat. § 858-312(9), and Okla. Admin. Code § 605:10-9-4(b)(3)**, as Respondent Cottle advertised using an unregistered team name / trade name "Matthew Cottle Realty".

Consent: Respondent **Linda Finch & Associates, Inc.** hereby consents to an Administrative Fine of **Two Hundred and Fifty Dollars (\$250)**. Respondent **Hillary Martin** is dismissed from this complaint. Respondent **Matthew Cottle** hereby consents to an Administrative Fine of **Three Hundred Dollars (\$300)**.

C-2022-72: Chamberlain Realty, LLC, Grant Wortman (MB), Kerry Wilkins, Wilkins Real Estate (Unlicensed) [D. Hall]

Violation(s) by Respondents **Chamberlain Realty, LLC**, and **Grant Wortman**:

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Wilkins when Respondent advertised using an unregistered team / trade name.

Violation(s) by Respondent **Kerry Wilkins**:

- b. **59 Okla. Stat. § 858-312(9), and Okla. Admin. Code § 605:10-9-4(b)(3)**, as Respondent Wilkins violated a provision of the Oklahoma Real Estate License Code or Rules by advertising with no broker reference and using an unregistered trade/team name "Wilkins Real Estate" on a social media page.

Consent: Respondent **Chamberlain Realty, LLC** hereby consents to a **Two Hundred and Fifty Dollar (\$250)** Administrative Fine. Respondent **Grant Wortman (MB)** is dismissed from this complaint. Respondent **Kerry Wilkins (PSA)** hereby consents to a **Three Hundred and Fifty Dollar (\$350)** Administrative Fine.

C-2022-56: ABW, Inc., Pamela Suttles (MB), Andrew Briscoe, Andrew Briscoe Realty (Unlicensed) [D. Hall]

Violation(s) by Respondents **ABW, Inc.** and **Pamela Suttles**:

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Briscoe as he advertised using an unregistered team / trade name.

Violation(s) by Respondent **Andrew Briscoe**:

- b. **59 Okla. Stat. § 858-312(9), and Okla. Admin. Code § 605:10-9-4(b)(3)**, as Respondent Carter advertised using an unregistered team name / trade name "Andrew Briscoe Realty".

Consent: Respondent **ABW, Inc.** hereby consents to an Administrative Fine of **Two Hundred and Fifty Dollars (\$250)**. Respondent **Pamela Suttles** is dismissed from this complaint. Respondent **Andrew Briscoe** hereby consents to an Administrative Fine of **Three Hundred Dollars (\$300)**.

C-2022-26: Key Real Estate Green Country, LLC, and Jessica Key-Caldwell (MB) [R. Baker]

Violation(s) by Respondent **Jessica Key - Caldwell:**

- a. **59 Okla. Stat. §§ 858-312(8) and Okla. Admin. Code § 605:10-17-2(b)**, as Respondents violated, or disregarded provisions of the Oklahoma Real Estate License Code and Administrative Rules by failing to file an adequate written response within fifteen (15) days of the notice of complaint.

Consent: Respondent **Jessica Key-Caldwell** hereby consents to a **Five Hundred Dollar (\$500)** Administrative Fine.

C-2022-66: Chamberlin Realty, LLC, Grant Wortman (MB), and Erica Lewis [D. Hall]

Violation(s) by Respondents **Chamberlain Realty, LLC, and Grant Wortman:**

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Lewis as she advertised using an unregistered team / trade name.

Violation(s) by Respondent **Erica Lewis:**

- b. **Okla. Admin. Code §§ 605:10-9-4(b)(3) and 605:10-9-4(c)(1)**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules by advertising using only a team name with no broker's reference.

Consent: Respondent **Chamberlain Realty, LLC** is **dismissed** from this complaint. Respondent **Grant Wortman (MB)** is **dismissed** from this complaint. Respondent **Erica Lewis (SA)** hereby consents to a **Two Hundred and Fifty Dollar (\$250)** Administrative Fine.

Pursuant to 25 Okla. Stat. § 307(B) (8), an Executive Session is available to discuss the terms of the Consent Orders 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 Orders*

END OF FORMAL ACTIONS

CASE EXAMINER REPORTS

C-2022-95: Threshold Investments OKC, LLC, ERA Courtyard Real Estate, Jeffrey Langum, Jilian Gardner, Jilian Gardner Homes (Unlicensed) [D. Hall]

Possible violation(s) by Respondents **Threshold Investments, Oklahoma City, LLC**, and **Jeffrey Langum**:

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to properly supervise the activities of an associate, as they failed to ensure the advertising activities of Jilian Gardner were in compliance.
- b. **59 Okla. Stat. § 858-312(9) and Rule 605:10-9-3**, as Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by allowing the use of Respondent Gardner's unregistered trade/team name "Jilian Gardner Homes", which can be construed as that of a firm name.

Possible violation(s) by Respondent **Jilian Gardner**:

- a. **59 Okla. Stat. § 858-312(9) and Okla. Admin. Code § 605:10-9-4(b)(3)**, as Respondent may have violated a provision of the Oklahoma Real Estate License Code or Rules by advertising without any broker reference, as she used an unregistered trade/team name "Jilian Gardner Homes" on a social media page.
- b. **59 Okla. Stat. §§ 858-201, 858-301 and 858-401**, as Respondent may have engaged in licensable real estate activities prior to obtaining the required real estate license by soliciting buyers and sellers of properties within the State of Oklahoma, as they advertised or held themselves out as engaged in such activities via social media and/or web advertisements.

Recommendation: The Case Examiner is of the opinion that the Complaint against Respondents Threshold Investments, Oklahoma City, LLC, Jeffrey Langum, and Jilian Gardner should be scheduled for a formal hearing.

C-2022-93: ABW, Inc., Pamela Suttles (MB), and Bethani Willis [D. Hall]

Possible violation(s) by Respondents **ABW, Inc. - Keller Williams Elite** and **Pamela Suttles**:

- a. **59 Okla. Stat. § 858-312(8) and Okla. Admin. Code § 605:10-17-4(6)**, as

Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules by failing to properly supervise the activities of an associate, as they failed to ensure the advertising activities of Respondent Bethani Willis were in compliance.

- b. 59 Okla. Stat. § 858-312(9) and Okla. Admin. Code § 605:10-9-3.2**, as Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules by allowing the use of Respondent Willis’s unregistered team name (ANW Real Estate Team).

Possible violation(s) by Respondent **Bethani Willis**:

- a. 59 Okla. Stat. § 858-312(9) and Okla. Admin. Code § 605:10-9-4(c)**, as Respondent may have violated a provision of the Oklahoma Real Estate License Code or Rules by advertising an unregistered team name, as she used the unregistered team name “ANW Real Estate Team” on a social media page.

Recommendation: The Case Examiner is of the opinion that the Complaint against Respondents ABW, Inc. – Keller Williams Elite, Pamela Suttles, and Bethani Willis should be scheduled for a formal hearing.

C-2022-6: Select Management Group, LLC, Bryan Shepard (MB), Leon (Ken) Rutherford (BB), Kimberly Vining, and Janelle Nicolay [R. Baker]

Possible violation(s) by Respondents **Select Management, LLC, Leon (Ken) Rutherford and Bryan Shepard**:

- a. 59 Okla. Stat. § 858-312(8), and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents may have violated a provision of the Oklahoma Real Estate License Code or Rules by failing to supervise the activities of their associates.

Possible violation(s) by Respondent **Kimberly Vining**:

- a. 59 Okla. Stat. § 858-312(8) and Okla. Admin. Code § 605:10-15-1(2)**, as Respondent may have engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by failing to disclose beneficial interest, as she failed to disclose her beneficial interest in Reliance Pro, an entity which provided an estimate for the cost of repairs for the property.

- b. 59 Okla. Stat. § 858-312(8) and Okla. Admin. Code § 605:10-17-5 (2)**, as Respondent may have engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by failing to disclose a known defect (plumbing) at the property.

Possible violation(s) by Respondent **Janelle Nicolay**:

- a. **59 Okla. Stat. § 858-312(8)**, as Respondent may have engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by failing to disclose Respondent Vining's husband owned the company which provided the estimate for the cost of repairs.

Recommendation: The Case Examiner is of the opinion that the Complaint against Respondents Select Management Group, LLC, Leon (Ken) Rutherford, Bryan Shepard, Kimberly Vining, and Janelle Nicolay should be scheduled for a formal hearing.

C-2022-315: Green Meadow Realty, Inc. and Casey Cook (MB) (D.H.)

Possible violation(s) by Respondents **Green Meadow Realty, Inc.**, and **Casey Cook**:

- a. **59 Okla. Stat. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-8.4(3)**, as Respondents may have engaged in conduct which constitutes untrustworthy, improper, fraudulent or dishonest dealings and disregarded or violated provisions of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to register and provide approval to the Commission of the associate's corporation or association, as they failed to ensure that payment of commissions to licensees were made through entities properly registered with the Oklahoma Real Estate Commission.
- b. **59 Okla. Stat. § 858-312(8)-(9) and Okla. Admin. Code § 605:10-13-1(1)**, as Respondents may have engaged in conduct which constitutes untrustworthy, improper, fraudulent or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to maintain all records and files for a minimum of five (5) years, as they failed to maintain records to ensure licensee's payment of commission entities were properly registered with the Oklahoma Real Estate Commission.
- c. **59 Okla. Stat. § 858-102(13)**, as Respondents may have paid part a fee, commission, or other valuable consideration received by a real estate licensee to any person not licensed, as the brokerage and managing broker paid commissions to unlicensed/unregistered payment of commission entities.

Recommendation: The Case Examiner is of the opinion that the Complaint against Respondents Green Meadow Realty, Inc. and Casey Cook should be scheduled for a formal hearing.

GENERAL BUSINESS

1. Executive Director's Report:
 - a. OREC Operations Update and Discussion
 - b. Legislative Update
 - c. Contract Forms Committee Update and Discussion
2. Equivalent Experience Point Waiver Form Discussion

FINANCIAL & FISCAL

Monthly Financial Report – Deputy Director, Bailey Crotty

EDUCATION & LICENSING

Report and update on Education and Licensing, including Licensing Numbers

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)

July 13th, 2022

(Venue Host: Oklahoma Real Estate Commission)

September 13th, 2022

(Venue Host: OAR Annual Conference held at the Mayo Hotel - 115 West 5th Street Tulsa, OK 74103)

ADJOURNMENT

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