



Oklahoma Real Estate **Commission Comment**

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Payments to Associates by Closing/Title Companies

Oklahoma statute Title 59, Section 858-312, paragraph 4 states that an associate can accept a commission or other valuable consideration for acts requiring a license only from their sponsoring broker. The Commission has been asked if an associate could receive compensation directly from a closing/title company in lieu of receiving it from the broker. The answer is yes as long as written authorization is given by the broker to the closing/title company. The broker must maintain a copy of this authorization with their records for

production to the Commission. In the absence of this written documentation, an associate or broker could be found in violation by the Commission of the aforementioned statute.

A word a caution to the sponsoring broker – The direct payment of a commission or other valuation consideration to an associate from a closing/title company would not relieve the broker from providing the associate with an IRS 1099 form reflecting total compensation earned by such associate for a given year.

Special Notice to Branch Brokers, Broker Managers and Proprietor Brokers

Beginning with the June 30, 2012 license renewals and thereafter, you must show proof of 21 clock hours of continuing education credit consisting of the following:

15 clock hours of Broker in Charge course content, or its equivalent, as approved by the Commission; and

2 of the 4 required subject matter courses (fair housing, broker relationships, professional conduct, hot topic) **consisting of at least 6 clock hours.**

This requirement also applies to a broker licensee (broker associate or inactive broker) who held a branch broker, broker manager, or broker proprietor license type during any portion of their license term.

Real Estate Commission is Moving its Office Location to Near the State Capitol

The Oklahoma Real Estate Commission will be moving its office location on or about April 1, 2012 near the State Capitol in the Denver N. Davidson Building, 2nd Floor, Suite 200, 1915 North Stiles Avenue (just west of the intersection of NE 18th and Lincoln Boulevard on Stiles Avenue). We will be in transition during the last week of March and the first week of April, so please call the Commission to verify the office location. The office telephone number will remain the same.

Parking is available on the east side of the building and handicapped parking is available on the north side of the building.

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The Oklahoma Real Estate Commission Comment

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THE COMMISSION

Stephen Sherman, Chairman..... Okla. City Pete Galbraith, Vice Chairman Sapulpa Mike Cassidy..... Okla. City Charles Barnes Midwest City Randy Saunier McAlester Martin VanMeter..... Durant John Mosley Chickasha Anne M. Woody, Executive Director..... Staff

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BY ORDER OF THE COMMISSION DISCIPLINARY ACTIONS AS OF NOVEMBER 2011

APRIL 2011

C-2009-047: REAL SOLUTIONS REALTY LLC, MARY GARDNER POINTON (BM) AND WILLIAM TRAVIS POINTON (SA) – NEWALLA

William Travis Pointon in violation of:

- Title 59 O.S. §858-312, Subsection 4, in that he received and accepted commissions and/or other valuable consideration from Real Estate Magic LLC, who was not the sponsoring broker with whom he was associated.

Real Solutions Realty LLC and Marty Gardner Pointon in violation of:

- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(6), in that they failed to properly supervise the activities of William Pointon.

The Commission ordered that Respondents Real Solutions Realty LLC, Mary Pointon and William Pointon be assessed an administrative fine of Two Hundred Dollars (\$200.00) each, for a grand total of Six Hundred Dollars (\$600.00).

Mary Pointon (BM) and William Pointon (SA) were revoked effective 7-18-2011 for non-payment of fine.

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Chairman’s Corner

First of all, I want to thank my fellow Commissioners for giving me the opportunity to serve as Chairman of the Commission this fiscal year.

I want to address the Real Estate Commission’s role and efficacy as I see it. My perspective of the Commission is from a layman’s point of view, as the “public” member of the Board for almost 9 years. It seems that most licensees, and the public at large, may not have a real appreciation for what the Commission does for both the real estate sales/leasing industry and the consumer, both of whom it serves.



Stephen Sherman

The Commission’s primary purpose is to protect the public from unscrupulous licensees and those individuals who practice real estate without a valid license. In order for the Commission to protect the public, the Commission promulgates and enforces laws, rules and regulations, and provides licensees with numerous resources and information to assist licensees in complying with them, including federal mandates.

Every time a new law is passed by the state legislature or in Washington, D.C. that affects the real estate licensee, the Commission immediately researches what it means to licensees, and provides licensees with new resources with which to comply with new requirements, if any; and, in this regard, special continuing education workshops are developed and delivered at no additional charge to licensees, funded through the Education and Recovery Fund maintained and administered by the Commission.

It is interesting to note a few of the things that the Commission has done in furtherance of the foregoing:

Over recent years, the Commission and various committees and task forces have: 1) developed more than twenty (20) contracts and related addenda, to standardize and streamline the real estate transaction process, all to directly benefit licensees and consumers; 2) researched the feasibility of errors and omissions insurance; 3) studied the appropriateness of rebates and inducements in relation to a real estate transaction (which included a consideration of the process and consequences in many other states); and 4) investigated the possibility of creating a real estate research center, at the university level, for the State of Oklahoma.

Not a Commission meeting goes by that the staff doesn’t advise us of new or continuing processes that are in the works to streamline the services for licensees (e.g., online license renewal, maintenance of licensees’ continuing education rosters, and an online module to allow licensees to keep their personal contact information updated). Most recently, the Commission staff began emailing license renewal notices to those licensees who have a current email address on file in addition to the snail-mail that is sent to the broker’s business address.

So, even though it should be clear from the foregoing that the Commission strives to protect the public and serve the licensees, every so often the Commission gets a bad rap by being seen as “Big Brother” – a case in point occurred a couple of years ago when the Commission attempted to require non-licensees to comply with the requirements of licensees, and not engage in “licensable” activities without being licensed (i.e., performing property management activities for nightly cabin rentals). This activity arguably fell under the jurisdiction of the Commission, as tens of thousands of dollars were being collected by unlicensed individuals (significance: funds not placed in a regulated trust account) who, for a fee, managed property they did not own. After an exhaustive attempt by the Commission to regulate this activity, legislation was passed exempting this activity (with exceptions) from regulation.

Another matter of interest is how much work is expended by the staff when a complaint against a licensee is filed at the Commission. Each complaint is reviewed to determine if the Commission has jurisdiction and if it does, once investigated, the facts of the case must substantiate the allegations. There is a structured and deliberate process that is followed for each case that requires the participation and cooperation of all concerned to include the complaining consumer, the licensee, and the Commission staff. The steps taken by staff to ensure process compliance, both at the investigation stage and hearing stage, if applicable, is impressive; the staff works very hard in interviewing

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ARELLO Update

ARELLO stands for the Association of Real Estate License Law Officials which is an international organization of real estate regulators.

Commissioner Martin VanMeter, broker member from Durant has been elected to serve on the ARELLO Board of Directors for 2011 and 2012. Martin served on various ARELLO workgroups to include chairman of the Auction Advisory Group and co-chairman of the Fair Housing Committee last year. Other workgroups he has served on include Membership, Global Membership and the Program Committee.

ARELLO's greatest asset to the Commission is the networking opportunities with other regulators over licensing and process issues, qualifications and professional conduct standards, as well as staying abreast with the latest schemes and scams created by licensees nationally and internationally.

Commission Begins Emailing Licensees Regarding Upcoming License Renewal

The Commission has begun the process of emailing notices to licensees regarding their upcoming license renewals. Beginning with the September 2011 renewals, licensees (who had a current email address on file at the Commission via the USPS) began receiving an additional renewal notice. The notice advises the licensee that their license renewal postcard has been mailed out by Commission. It also advises the licensee that if they are an active associate, the renewal notice will be sent to the broker's address. If the licensee is on inactive status, the renewal notice will be sent to the address on record for the licensee. The notice regarding an upcoming license renewal is sent from *email@orec.ok.gov*.

If you are interested in receiving the additional email notice, along with other important news releases, please go to the Commission's web page and click on the red box to ensure that your personal contact information is up-to-date.

DISCIPLINARY ACTION *continued from page 2*

MAY 2011

C-2010-038: DOUGLAS L. WILLCOX (BM) – BIXBY

Violations by respondent:

- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-4(c)(1), in that he failed to disclose on all documents pertaining to the purchase of 2910 West 66th Street, Tulsa, Oklahoma that he held a real estate license.

Douglas L. Willcox consented to payment of an administrative fine in the amount of Two Hundred Fifty Dollars (\$250.00).

C-2009-057: METRO FIRST REALTY LLC, MAURICE L. SHEPHERD (BM), METRO FIRST REALTY LLC (BO), ROBERT D. COWGER (BB) AND MELINDA ANN STEVENSON (SA) – OKLAHOMA CITY AND EDMOND

Maurice Shepherd in violation of:

- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4(6), in that he failed to properly supervise the activities of Respondent Melinda Stevenson, concerning the Wolf Creek property and apartment locator service.

Robert Cowger in violation of:

- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4(6), in that he failed to properly supervise the activities of Respondent Melinda Stevenson, concerning the Wolf Creek property and apartment locator service.

Melinda Stevenson in violation of:

- Title 59 O.S. §858-312, Subsections 8 and 9, in that she engaged in a repeated pattern of conduct of using her real estate license and making false statements to induce individuals to enter into real estate contracts

with her, concerning the Wolf Creek, Simmons, South McArthur, 206th Street and Horseshoe Road properties;

- Title 59 O.S. §858-312, Subsections 6, 8 and 9 and Rule 605:10-13-2, in that she failed to deliver earnest money to her broker, concerning the White Pine Circle property;
- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-4(b), in that she failed to identify her broker in a written advertisement in connection with the Apartment Locator Service;
- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-11-2(g), in that she relocated her residence on multiple occasions without notifying the Commission of her change of address(es);
- Title 59 O.S. §858-312, Subsections 2, 8 and 9 and Rule 605:10-17-5(1), in that she submitted a fraudulent document for the purpose of inducing a lender to loan a sum of money in connection with the Wolf Creek property;
- Title 59 O.S. §858-312, Subsections 6 and 9, in that she failed to furnish copies of a real estate purchase contract to the seller in connection with the White Pine Circle property;
- Title 59 O.S. §858-353, in that she failed to identify herself as a "transaction broker" on a transaction in which she was the purchaser, and in which she represented and advocated on behalf of herself, in connection with the Wolf Creek property;
- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-11-1, in that she conducted real estate transactions outside the supervision of her broker in connection with the Wolf Creek, Simmons, 206th Street and White Pine Circle properties, as well as the Apartment Locator Service;

- Title 59 O.S. §858-312, Subsections 4 and 9 and Rule 605:10-13-2(12), in that she accepted a commission as a real estate associate for the performance of real estate activities from a person other than her broker in connection with the 206th Street property;
- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4(16), in that she failed to obtain the owner's permission prior to moving her personal property into the 206th Street property which she had contracted to purchase;
- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-4(c)(1), in that she failed to disclose on all documents pertaining to the purchase of Simmons property that she was a real estate licensee; and
- Title 59 O.S. §858-353, in that she failed to comply with the broker relationship disclosure requirements in connection with her purchase contract dated March 28, 2009, regarding the Wolf Creek property.

The Commission ordered the following sanctions:

1. That Respondent Maurice L. Shepherd be given a letter of reprimand and assessed an administrative fine of Five Hundred Dollars (\$500.00);
2. That Respondent Robert D. Cowger be given a letter of reprimand and assessed an administrative fine of Five Hundred Dollars (\$500.00);
3. That Respondent Melinda Ann Stevenson be assessed an administrative fine of Five Thousand Dollars (\$5,000.00); and
4. That the real estate sales associate license of Respondent Melinda Ann Stevenson be revoked.

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C-2010-016: DENNIS MICHAEL BARRY (BM) AND JENNIFER C. BARRY (SA) – EDMOND

Dennis M. Barry in violation of:

- Title 59 O.S. §858-312, Subsections 8, 9 and 19, in that he entered a plea of guilty to the criminal charge of conspiracy to commit bank fraud (United States District Court for the Western District of Oklahoma Case Number CR-09-273-2-R); and
- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-9-5, in that he failed to notify and file a change of address for his business with the Commission within ten (10) days of the change of address.

The Commission ordered the following sanctions against Dennis M. Barry:

1. The real estate broker license of Respondent Dennis Michael Barry be revoked;
2. The Oklahoma real estate sales associate license of Respondent Dennis Barry be suspended for a period of five (5) years, with four (4) years and eight (8) months suspended;
3. Upon completion of the period of suspension (4 months), the Oklahoma Real Estate Sales Associate license of Respondent Dennis Barry will be reinstated;
4. The Respondent Dennis Barry be required to comply with all terms and provisions of the sentence rendered by the United States District Court for the Western District of Oklahoma (CR-09-273-2-R);
5. Respondent Dennis Barry be placed on probation until February 2, 2015;
6. Respondent Dennis Barry be required to attend and complete within six (6) months from the date of receipt of the Final Order, three (3) hours of continuing education concerning the subject of “Professional Standards”;
7. Respondent Dennis Barry be required to attend and complete, within six (6) months from the date of receipt of the Final Order, three (3) hours of continuing education concerning the subject of “Laws and Rules”;
8. Respondent Dennis Barry be required to “self-report any violation of his probation within ten (10) days of the occurrence; and
9. Respondent Dennis Barry be required to provide a written quarterly report to the Commission, informing the Commission as to the status of his restitution payments, until the restitution has been fully satisfied.

Jennifer C. Barry in violation of:

- Title 59 O.S. §858-312, Subsections 8, 9 and 19, in that she pled guilty to the criminal charge of conspiracy to commit bank fraud, in the United States District Court for

the Western District of Oklahoma (Case Number CR-09-273-2-R).

The Commission ordered the following sanctions against Jennifer Barry:

1. The Oklahoma real estate sales associate license of Jennifer Barry shall be suspended for a period of four (4) years, with three (3) years and eight (8) months suspended;
2. That upon completion of the suspension, the Oklahoma real estate sales associate license of Jennifer Barry will be reinstated;
3. That Jennifer Barry shall be placed on probation until February 2, 2015;
4. That Jennifer Barry shall be required to attend and complete three (3) hours of continuing education concerning the subject of “Professional Standards, and that the continuing education be completed within six (6) months from the date of receipt of the Final Administrative Order;
5. That Jennifer Barry shall be required to attend and complete three (3) hours of continuing education concerning the subject of “Laws and Rules”, and that the continuing education be completed within six (6) months from the date of receipt of the Final Administrative Order;
6. That Jennifer Barry shall be required to “self-report” any violation of her probation with the United States District Court for the Western District of Oklahoma, new arrest(s) and/or charges within ten (10) days of its occurrence, and
7. That Jennifer Barry shall be required to provide a written quarterly report to the Commission, informing the Commission as to the status of her restitution payments, until full restitution has been satisfied.

C-2009-039: APRIL LOUISE HICKEY (SA) – OKMULGEE

April Louise Hickey in violation of:

- Title 59 O.S. §858-312 Subsections 8, 9 and 15, in that her Declaration in an action before the Department of Real Estate in the State of California (Case Number H-5334 SAC), in which she stated that the allegations made against her consisting of substantial misrepresentations, fraud and dishonest dealings in violation of the Business and Professions Code of the State of California could be considered as true and correct.

April Louise Hickey (SA) license was revoked 6-30-2011.

C-2008-077: CAROLYN HARRIS REALTY INCORPORATED, CAROLYN R. HARRIS-BECK (BM), PAMELA DENISE VALLANDINGHAM (BA) AND MERRILY DARLENE SHORT (SA) – SHAWNEE –

Carolyn Harris Realty Incorporated, Carolyn Harris-Beck, Pamela Vallandingham and Merrily Short in violation of:

Title 59 O.S. §858-312, Subsections 8 and 9 and Rules 605:10-17-4(3) and 605:10-17-4(12), in that they failed to advise the complainant of the discrepancies regarding the size of the acreage which was being purchased by the complainant.

Carolyn Harris Realty Incorporated and Carolyn Harris-Beck in violation of:

- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(6), in that they failed to properly supervise the activities of respondents Pamela Vallandingham and Merrily Short.

The Commission ordered that Respondents Carolyn R. Harris-Beck, Pamela Vallandingham and Merrily Short be ordered to pay an administrative fine of Five Hundred Dollars (\$500.00) each, for a total of One Thousand Five Hundred Dollars (\$1,500.00), and to dismiss the case against Carolyn Harris Realty Incorporated.

JUNE 2011

C-2011-024: TRINA TAHIR (BM) – OKLAHOMA CITY

Violations by respondent:

Title 59 O.S. §858-312, Subsections 8 and 9, in that she entered into a Plea Agreement in the United States District Court for the Western District of Oklahoma, by the terms of which she agreed to plead guilty to one (1) count of violating 18 U.S.C §1956 (a)(1)(B)(i) – Money Laundering.

The Oklahoma Real Estate broker license of Respondent Trina Tahir was summarily suspended, pending a formal hearing.

As of 12-09-11 the license suspension is still in effect while respondent appeals the plea entered in her Federal case.

AUGUST 2011

C-2010-015: TAMITHA LYNN POWELL (SA) – BARTLESVILLE

Violations by respondent:

- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4 (12), in that she wrote checks on real estate trust and operating accounts belonging to Donna Barclay and/or REMAX of Bartlesville, and converted the funds to her personal use, and
- Title 59 O.S. §858-312, Subsections 2, 8 and 9, in that she stated that she performed certain cleaning services on behalf of her sponsoring broker, requested payment for and accepted payment for those services from her sponsoring broker, which services were not actually performed.

Respondent Powell consented to the revocation of her Oklahoma real estate sales associate license.

C-2010-052: CHONDRA MICHELLE MARTINEZ (SA) – TULSA

Respondent in violation of the following:

- Title 59 O.S. §858-312, Subsections 6, 8 and 9 and Rule 605:10-13-2(1), in that she failed to turn over earnest money and the signed contract to her broker;
- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(4), in that she prepared a contract that failed to contain the proper dates, and
- Title 59 O.S. §858-301, in that she engaged in real estate activities which require an active license at a time during which her license was on inactive status.

The Commission ordered that Respondent Chondra Michelle Martinez pay an administrative fine of One Thousand Dollars (\$1,000.00) and that her Oklahoma real estate sales associate license be revoked effective 09-12-11.

C-2010-059: CHONDRA MICHELLE MARTINEZ (SA) – TULSA

Respondent in violation of the following:

- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4(9), in that she failed to submit a written response to the complaint;
- Title 59 O.S. §858-312, Subsections 6, 8 and 9, in that she failed to account for or remit monies coming into her possession which belong to others;
- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-13-2(2), in that she failed to provide a copy of the signed contract to the complainant, and
- Title 59 O.S. §858-301, in that she engaged in real estate activities which require an active license at a time during which her license was on inactive status.

The Commission ordered that Respondent Chondra Michelle Martinez pay an administrative fine of One Thousand Dollars (\$1,000.00) and that her Oklahoma real estate sales associate license be revoked effective 09-12-11.

C-2010-046: ERNIE PHILPOTT REALTY INCORPORATED, PAUL L. POWELL (BM), CHARLEY MCGILL (BA) AND GARY B. SURBER (SA) – CHICKASHA

Ernie Philpott Realty Incorporated and Paul L. Powell in violation of:

- Title 59 O.S. §858-312, Subsection 8 and Rule 605:10-17-4(12), in that they provided to the complainant a “Confirmation and Acknowledgment of Disclosures of single party broker with brokerage agreement”, but provided to the Commission an altered “Confirmation and Acknowledgment of Disclosures of transaction broker without written brokerage agreement”.

The Commission ordered that Respondents Ernie Philpott Realty Incorporated and Paul L. Powell each pay an administrative fine of Two Hundred Fifty Dollars (\$250.00) and that the case against Charley McGill and Gary B. Surber be dismissed.

C-2010-050: REALTY III INCORPORATED, PHIL L. EDWARDS (BM) AND JEFFREY SCOTT SHAFFER (SA) – ENID

Jeffrey Shaffer in violation of:

- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(20), in that he signed the names of the complainant and her husband to the Agreement for Extension of Close of Escrow without the written consent of the complainant.

The Commission ordered that Respondent Jeffrey Shaffer pay an administrative fine in the amount of Seven Hundred and Fifty Dollars (\$750.00) and complete six (6) hours of continuing education, in addition to that required by law.

The Commission also ordered that the case against Realty III Incorporated and Phil Edwards be dismissed.

U-2009-003: REMINGTON REALTY LLC (UNLICENSED) AND MICHAEL REMINGTON (UNLICENSED) – TULSA

Michael Remington in violation of:

- Title 59 O.S. §858-401, in that he engaged in real estate activities while not possessing an Oklahoma real estate license.

The Commission ordered that the case against Respondent Remington Realty LLC be dismissed, and that Respondent Michael Remington pay a fine of Five Thousand Dollars (\$5,000.00).

No fine payment received; case forwarded to Attorney General’s Office to pursue collection.

UC-2009-004: T&T PROPERTIES (UNLICENSED), REDEANNA LYNN WALKER (SA), BACK HOME REALTY LLC AND REBECCA FLOYD MARTIN (BM) – OKLAHOMA CITY AND BLANCHARD

Redeanna Lynn Walker in violation of:

- Title 59 O.S. §858-301 and Rule 605:10-17-1, in that she managed rental properties, collected rents and charged management fees at a time when her license was on inactive status.

The Commission ordered that Respondent Redeanna Lynn Walker pay an administrative fine of \$1,000.00 and that her Oklahoma real estate sales associate license be revoked effective September 28, 2011. The case against Respondents T&T Properties, Back Home Realty LLC and Rebecca Floyd Martin was dismissed.

SEPTEMBER 2011

C-2010-031: TODD FRANKLIN CURTIS (SA) – NORMAN

Respondent in violation of:

- Title 59 O.S. §858-312, Subsections 6, 8 and 9 and Rules 605:10-13-2(1) and 605:10-17-4(12), in that he failed to turn over the sum of \$23,635.50 he received as payment for

real estate-related services to his sponsoring broker.

The Commission ordered that Respondent Todd Curtis be ordered to pay an administrative fine of Five Thousand Dollars (\$5,000.00) and that his Oklahoma real estate sales associate license be revoked effective December 1, 2011.

C-2010-055: THE ALLIANCE REAL ESTATE GROUP INCORPORATED, REGINA M. YAGER (BM), THE ALLIANCE REAL ESTATE GROUP INCORPORATED (BO), H. LEON BROWN (BB) AND BRENDA ANN MEADORS (SA) – OKLAHOMA CITY

Brenda A. Meadors in violation of:

- Title 59 O.S. §858-312, Subsections 2, 8 and 9 and Rules 605:10-17-5(2) and 605:10-17-4(12), in that she failed to furnish copies of the second (amended) inspection report to the complainant.

Respondents The Alliance Real Estate Group Incorporated, Regina M. Yager, The Alliance Real Estate Group Incorporated (BO) and H. Leon Brown were found to be in violation of the following:

- Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-17-4(6), in that they failed to properly supervise the activities of Brenda A. Meadors.

The Commission ordered that That Respondents Alliance Real Estate Group Incorporated, Regina Yager, Alliance Real Estate Group Incorporated (BO), H. Leon Brown and Brenda Meadors pay an administrative fine of One Thousand Dollars (\$1,000.00) each, and that Respondent Meadors successfully complete six (6) hours of continuing education within six (6) months of receipt of the final order.

C-2010-071: METRO PROPERTIES LLC, ANGELA M. PENRY (BM), ABW EDMOND INCORPORATED AND SUSAN KESSLER MILLER (BM) – OKLAHOMA CITY AND EDMOND

Angela Penry in violation of the following:

- Title 59 O.S. §858-312, Subsections 6, 8 and 9 and Rule 605:10-13-1, in that she failed to remit to the complainant the sum of \$1,100.00 in rental proceeds which had been collected by her;
- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(9), in that she failed to remit to the complainant the sum of \$1,100.00 in rental proceeds which had been collected by her;
- Title 59 O.S. §858-312, Subsection 9 and Rule 605: 10-9-5(c), in that she failed to notify the Commission of a change in her residence address within ten (10) days;
- Title 59 O.S. §858-356, in that she failed to comply with the broker relationship disclosure requirements in connection with

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OKLAHOMA REAL ESTATE COMMISSION

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DISCIPLINARY ACTION *continued from page 5*

the property management agreement entered into with the complainant on the date of October 7, 2007, and

- Title 59 O.S. §858-312, Subsections 8 and 9 and Rule 605:10-17-4(17), in that she provided false or misleading information to the Commission during the course of an investigation by informing the Commission that check number 6019, payable to the complainant in the sum of \$550.00 and written on the account of Metro Properties LLC, had cleared her bank on April 19, 2010, when, in fact, the check had been returned due to insufficient funds.

The Commission ordered that the Oklahoma real estate licenses of Metro Properties LLC and Angela M. Penry be revoked effective 11-01-11 and the case dismissed on ABW Edmond Inc. and Susan Miller.

NOVEMBER 2011

UC-2010-001: AMANDA DAILEY (UNLICENSED) AND DONALD RICHARD JONES (BP) – DALLAS, TX

Amanda Dailey in violation of:

- Title 59 O.S. §858-301, Title 59 O.S. §858-312, Subsection 9 and Rule 605:10-7-1, in that she engaged in real estate activities in the State of Oklahoma without possessing an Oklahoma real estate license.

Donald Jones in violation of:

- Title 59 O.S. §858-312, Subsections 7, 9 and 14 and Rule 605:10-7-1, in that he permitted an unlicensed individual to act as a sales associate.

The Commission ordered that Respondent Amanda Dailey and Respondent Donald Jones each pay an administrative fine of One Thousand Dollars (\$1,000.00).

CHAIRMAN'S CORNER *continued from page 2*

the complainant, the licensee, his or her broker, witnesses, reviewing all pertinent documents and so on, all in an effort to determine what really happened in order to arrive at an appropriate disposition.

After considering the foregoing, and many other things too numerous to mention, I want to express my gratitude to both the Commissioners and the staff. Suffice it to say that I believe that the Commission does a wonderful job in regulating the real estate industry, while at the same time balancing the public's rights to protection and transparency, and the licensees' rights to make a living while acting within the parameters established by the legislature and the Commission. The Commission at large, and particularly the staff, do a very fine job indeed balancing these rights and entitlements, serving both masters in the operation of a well-oiled machine. It is a privilege to participate in this process, and I invite all of you to attend a Commission meeting to witness the process first hand.

This publication, printed by The University of Oklahoma Printing Services, is issued by the Oklahoma Real Estate Commission as authorized by Anne M. Woody, Executive Director. 19,200 copies have been prepared and distributed at no cost to the taxpayers of the State of Oklahoma. The entire cost of preparing this publication has been borne by the Real Estate Licensees through their Education and Recovery Fund Fees. Copies have been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries.