

**OKLAHOMA ABSTRACTORS BOARD**  
**MINUTES OF REGULAR MEETING**  
**August 20, 2024**

1. A special meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairperson Scott Ward at 10:00 a.m., at the OLERS Conference Room, 421 NW 13<sup>th</sup> Street, Suite 100, Oklahoma City, Oklahoma.
2. Darla Ringo called the roll. Attending were: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, Scott Ward. Absent: Jeff Mapes and Sue Ann Loggains.
3. The Minutes of the Regular Meeting of the OAB, conducted on July 16, 2024, were reviewed. A motion was made by Ms. Ringo to approve the minutes as presented. The motion was seconded by Mr. Lower. Motion carried.  
Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, and Scott Ward. Nos: None  
Abstention: Randy Coffman because he was not present for that meeting.
4. **Chairperson's Report - Scott Ward:** Mr. Ward reported that everything is going well and running smoothly and the staff are doing a good job.
5. **Administrator's Report (Board Report):** Ms. Smith reported that she has put the committee listings for the new fiscal year on the website as requested. They're listed on the Board page at the very bottom. She reminded everyone that SB979 goes into effect at the end of the month. The office is preparing for a soft launch of online licensing.
6. **Committee Reports.**
  - a.) **Budget and Finance – Darin Kent:** Mr. Kent gave an update on the budget. The annual budget is still \$276,789.000 with encumbrances of \$91,692.45, which gives us a total Year-To-Date Encumbrances and Expenses of \$83,842.96 and a variance of \$192,946.04. The revenue for last month was \$27,925.00 and expenses were \$22,005.83 which leaves us with an ending cash balance of \$1,055,886.51. After review and discussion, Mr. Kent made a motion to approve the report as presented. Second by Mr. Lower. Motion carried.  
Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.
  - b.) **Rules and Regulations – Rex Koller:** Mr. Koller reported that he is still waiting to hear from OLTA regarding anything that might need to be dealt with this year. He also reviewed Title 5 to see if there is anything that needs to be adjusted in light of SB979. He also wants to talk about Title 46 with the committee.

- c.) **Licensing and Testing-Katherine Smith:** Ms. Smith reported that since the last board meeting there had been four people take the test and all four passed. The next testing date is September 19th at the OAB offices.

She also mentioned that she's had calls about a fall school from OLTA but she hasn't heard anything from them yet.

- d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been six inspections since the last board meeting but that there was a seventh report in the packet because one was a holdover from last month. Five of the seven had no issues. For the two that did, the recommendations from the Enforcement Committee are in the packet. She asked for any questions, but if there were none, for a motion to approve the inspection reports as presented and approve the action recommended by the Enforcement Committee. A motion was made by Mr. Lower. Second by Mr. Koller. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

Abstention: Ms. Ringo, Mr. Waldroup, and Mr. Koller abstained from voting on those reports related to their employer's business holdings.

**Consent Orders:** Also in the packet are three consent orders all related to inspection findings. All companies have paid and agreed to the penalties requested. One is for Smith Brothers Abstract in Pottawatomie County for \$100 for a minor indexing error. The second is for \$200 for an order completed two days outside of guidelines for Pioneer Abstract Company in Seminole County. The third consent order is for Bailey's Abstract & Title in Greer County for \$200. The company had an instrument that was pulled through their scanner with another document and therefore, was not indexed in their system. Ms. Smith asked for any questions, but if there were none, for a motion to accept the consent orders and authorize the chairperson to sign off on them and officially close the matter. A motion was made by Mr. Lower. Second by Mr. Koller. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

Abstention: Ms. Ringo, and Mr. Koller abstained from voting on those reports related to their employer's business holdings

- e.) **Enforcement Committee Reports-Jeff Lower:**

**Applications for Licenses:** Presented to the Board for approval was a list of applicants for abstract licenses or renewals, which are set out in the attachments hereto. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve all the licenses presented, subject to administrative review and to make sure all compliance issues were met, and appropriate fees paid. Second by Mr. Koller. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

Abstention: Ms. Ringo, Mr. Coffman, and Mr. Koller abstained from voting on those reports related to their employer's business holdings.

**Renewal of Certificate of Authority (With No Changes):** Presented to the Board for approval was an application for renewal of Certificate of Authority with their rate sheet with no fee changes by Oklahoma Digital Abstract, LLC dba American Eagle Rogers County. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the application. Second by Mr. Kent. Motion passed.  
Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

**Renewal of Certificate of Authority (With Fee Changes):** Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet with fee changes by Southeastern Oklahoma Abstract & Title, LLC dba Pushmataha County Abstract Company. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the application. Second by Ms. Ringo. Motion passed.  
Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

**New Certificate of Authority:** Presented to the Board for approval was an application for a New Certificate of Authority by Smith Brothers Abstract & Title Co., LLC (Canadian). Mr. Coffman asked about the information regarding the Canadian County Court Clerk. Ms. Smith clarified that the applicant was unable to access the Court Clerks records. They were presented with four spreadsheets from the Court Clerk and were told that was all they could have with regard to court records. One spreadsheet was on a thumb drive and had records from 1989 forward. On the other spreadsheets were Guardianships back to 1921, Probates back to sovereignty, and Divorces back to 1967 which started with Case 1.

When the first permits were filed and there was difficulty getting access by the permit holders, our office sent a letter on letterhead with the language of the statute and told her she couldn't deny access. She ignored it. The District Attorney for the County and District Court Judge were contacted and also told her she couldn't deny access and she told them that she didn't care. She didn't want anyone in her offices and digging through her records. The Deputy Clerk did tell Ms. Smith that if a COA holder wanted to look at a specific case, they could, but they were not allowed to have it for 24 hours, as the law allows. They could only look at it in the Clerk's office.

The floor was opened for comments from both the existing COA holder and applicant. Mr. Kris Suder and Mr. Charles Holleman with the applicant stated that they were able to get some additional information from one of the staff when the Clerk was on vacation and they're confident that their records are complete. Mr. Waldroup with one of the existing COA holders said that the Clerk isn't very friendly to the existing companies either. Ms. Terri Parrish stated that there was a similar

situation in Latimer County so the files might be reviewed to see what suit he filed to resolve the issue.

A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the amended rate sheets. Second by Mr. Kent. Motion passed.

Comes now Katherine Smith, State Administrator of Abstracting of the Oklahoma Abstractors Board, and states:

The application for certificate of authority has been received in proper form and reviewed.

Proper notification was made by posting on the OAB website, notifying the Court Clerk and County Clerk of Canadian County, as well as all Certificate of Authority holders in Canadian County.

Comments were received from a permit holder in the county regarding the process of gathering records from the Court Clerk.

Payment of the applicable fees have been made in the correct amount of \$2,400.00. E&O Insurance in the sum of \$10,000,000.00 and a County records bond of \$100,000.00 have been posted.

Inspections have been performed by the Inspectors on behalf of the OAB and all have found an adequate abstract plant available for use.

The name of the company is not deceptively similar to other certificate of authority or permit holders, and the company has an actual physical presence in the county of Canadian.

According to the foregoing, the application for a Certificate of Authority is in compliance with Title 1 of the Oklahoma Statutes and 5:11-9-1 of the Permanent Rules of the OAB.

As the State Administrator of Abstracting of the Oklahoma Abstractor's Board, I hereby recommend that the Application for Certificate of Authority submitted by Smith Brothers Abstract & Title Co., LLC be approved. Signed Katherine Smith, dated August 20, 2024.

Yeas: Darin Kent, Jason Waldroup, Jeff Lower, Randy Coffman, and Scott Ward.  
Nos: None.

Abstention: Ms. Ringo and Mr. Koller abstained from voting as the applicant is related to their employer's businesses.

**New Certificate of Authority:** Presented to the Board for approval was an application for a New Certificate of Authority by Oklahoma Digital Abstract LLC dba American Eagle Abstract Garfield County.

The floor was opened for comments from both the existing COA holder and applicant. There were none.

A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the amended rate sheets. Second by Ms. Loggains. Motion passed.

Comes now Katherine Smith, State Administrator of Abstracting of the Oklahoma Abstractors Board, and states:

The application for certificate of authority has been received in proper form and reviewed.

Proper notification was made by posting on the OAB website, notifying the Court Clerk and County Clerk of Garfield County, as well as all Certificate of Authority holders in Garfield County.

No comments were received from any source.

Payment of the applicable fees have been made in the correct amount of \$1,600.00. E&O Insurance in the sum of \$1,000,000.00 and a County records bond of \$50,000.00 have been posted.

Inspections have been performed by the Inspectors on behalf of the OAB and all have found an adequate abstract plant available for use.

The name of the company is not deceptively similar to other certificate of authority or permit holders, and the company has an actual physical presence in the county of Garfield.

According to the foregoing, the application for a Certificate of Authority is in compliance with Title 1 of the Oklahoma Statutes and 5:11-9-1 of the Permanent Rules of the OAB.

As the State Administrator of Abstracting of the Oklahoma Abstractor's Board, I hereby recommend that the Application for Certificate of Authority submitted by Smith Brothers Abstract & Title Co., LLC be approved. Signed Katherine Smith, dated August 20, 2024.

Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

**Application for Transfer of Ownership:** Presented to the Board for approval was an application for a Transfer of Ownership by Woods County Abstract Corporation. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the application. Second by Mr. Koller. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

7. **Report Legal Counsel-Whitney Herzog Scimeca:** Ms. Scimeca reported that the case in Love County with Arbuckle Closing & Escrow Services, LLC. regarding physical presence and standing on like footing as a common carrier giving case CV-2023-38 was denied judicial review and the time to appeal has expired so the order given by the board stands and the case is concluded.
8. **Visitor's Comments:** Mr. Ward asked for any visitor comments. Jamie Harmon with the OLTA stated that there are dates for the Fall Basic Abstractors School that are October 22<sup>nd</sup> and 23<sup>rd</sup> and there are also dates for the September Regional Meetings of the 16<sup>th</sup> in Tulsa, 17<sup>th</sup> in Oklahoma City, and 18<sup>th</sup> in Krebs.
9. **Announcement of next meeting:** Tuesday, September 17, 2024, at 10:00 a.m., 421 NW 13<sup>th</sup> Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
10. **Adjournment:** Mr. Ward asked for a motion to adjourn the meeting. Motion was made by Mr. Kent. Second by Mr. Lower. Motion passed.  
Yeas: Darin Kent, Darla Ringo, Jason Waldroup, Jeff Lower, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.