

OKLAHOMA ABSTRACTORS BOARD
MINUTES OF SPECIAL MEETING
December 17, 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 13th Street, Suite 100, Oklahoma City, Oklahoma.
2. Darla Ringo called the roll. Attending were: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Absent: Darin Kent, Jeff Mapes, and Randy Coffman.
3. The Minutes of the Special Meeting of the OAB, conducted on November 19, 2024, were reviewed. Mr. Koller had a few corrections to be made. A motion was made by Ms. Ringo to approve the minutes with corrections. The motion was seconded by Mr. Koller. Motion carried.
Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None
4. **Chairperson's Report - Scott Ward:** Mr. Ward reported that everything is going well and running smoothly. He has been working with staff and the Executive Committee on various items.
5. **Administrator's Report (Board Report):** Ms. Smith reported that the online licensing platform has gone live and overall, the experience seems to be positive for users. More than half of the income received were credit card payments which should make the Auditor's office happy. Currently, Ayla is the only one with administrative access to the system until bugs are addressed as we fully implement the system. She's currently out, but will respond to anyone who has contacted her as soon as possible. We have received some applications that will be reviewed by the executive committee soon.
6. **Committee Reports.**
 - a.) **Budget and Finance – Darla Ringo:** Ms. Ringo gave an update on the budget. The annual budget is still \$276,789.000 with encumbrances of \$77,873.51, which gives us a total Year-To-Date Encumbrances and Expenses of \$149,350.88 and a variance of \$127,438.12. The revenue for the month of November was \$14,488.67 and expenses were \$16,388.10 which leaves us with an ending cash balance of \$1,074,488.16. After review and discussion, Ms. Ringo made a motion to approve the report as presented. Second by Mr. Lower. Motion carried.
Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.
 - b.) **Rules and Regulations – Rex Koller:** Mr. Koller reported that the Rule Change has been published and we're now in the 30 day comment period.

- c.) **Licensing and Testing-Sue Ann Loggains:** Ms. Loggains reported that since the last board meeting there had been no testing. The next testing date is January 16th in the OAB Offices.
- d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been no inspections since the last board meeting and there won't be any more regular inspections until spring.
- 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 with the exception of any Smith Brothers licenses, subject to administrative review and to make sure all compliance issues were met, and appropriate fees paid. Second by Ms. Loggains. Motion passed.
Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

Licenses Held: Ms. Ringo, and Mr. Koller were unable to vote on any licenses pertaining to their employer's business holdings, therefore, since no quorum was left to vote on applications pertaining to their company's applications for individual licensees and COA renewals for PHS title, LLC dba Smith Brothers Abstract & Title Co (Hughes), and Vinita Title Company, LLC dba Smith Brothers Abstract & Title Co (Craig) will be held until the next meeting.

Ms. Smith clarified that through operation of Administrative Law, because the renewal applications for any person or company related to Smith Brothers had been received, there was no danger of anyone expiring because their license automatically carried through to the next time it could be reviewed.

Renewal of Certificate of Authority (With No Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet with no fee changes by Crawford Abstract Company (Tillman), Garvin County Abstract Company, Modern Abstract and Title, LP (Bryan), New Century Abstract (McCurtain), Security Abstract Co. (Kay), PHS Title, LLC dba Smith Brothers Abstract (Hughes), Vinita Title Company, LLC dba Smith Brothers Abstract (Craig). A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the applications with the exception of Smith Brothers companies. Second by Mr. Mapes. Motion passed.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. 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 First Republic Title Company dba Cimarron County Abstract, and SCA Title, LLC (Adair). A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the applications. Second by Mr. Koller. Motion passed.

Yeas: Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

New Permit to Build: Presented to the Board for approval was an application for a New Permit to Build by Chisholm Trail Title & Abstract of Canadian County, LLC (Canadian).

A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the New Permit application. Second by Mr. Koller. Motion passed.

The floor was opened for comments from both the existing COA holders and applicant. Ms. Lisa Yates, representing Old Republic Title, asked what guidelines would the applicant be required to follow when building the plant. Ms. Smith stated that the existing guidelines would be used. She added that the Enforcement Committee had already directed her to notify permit applicants of the guidelines that are to be used. For instance, that records can only come from the Clerk's office and not from any other source. Also that a letter is required from the Clerk's offices regarding the state of their records and reminding them of the required quarterly reports. Mr. Koller pointed out that the requirement of following the guidelines is on page 6 of the application.

Ms. Lisa Yates said that she has an interest in Canadian County and they want to make sure they get their records directly from the Clerk's offices. Mr. Koller read from the Guidelines. The applicant shall copy or scan all available instruments filed of record in the office of the County Clerk. And in item 2 it states that images obtained in any form from any source other than a county office shall be prohibited. Images can be obtained from a source that holds a contract with the county office, but must have the permission of the county clerk or court clerk.

Ms. Smith stated that it's typical, as she did with their last plant in Canadian County she goes into the courthouse and has conversations with the Clerk's office to verify the applicant has had people in their offices reviewing records.

Ms. Mary Ann Nelson Sutterfield commented that she wanted to reinforce that Ms. Yates had said that it needs to be verified that the guidelines are being followed. It behooves the Board to be sure that the guidelines are followed for the acquisition of records because she believes they haven't been followed.

Ms. Smith stated that the letters required from the clerks, per the guidelines, are simply verifying the completeness of their records. The Enforcement Committee has already asked her to contact any new permit recipients and remind them those letters are needed.

Mr. Koller stated that this review is only for the Permit. If they do not follow the guidelines for the COA, it will not be granted.

Ms. Yates asked for clarification about the letters from the clerks confirming that the letter is only to verify the completeness of their records. Therefore, it's up to the Board to verify whether or not they have a complete set of records. Ms. Smith stated that the board does verify their complete set of records. She also spends a significant amount of time during a New COA Application inspection talking to both clerks about the applicant's presence in their offices and how they processed the records.

Yeas: Darla Ringo, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

Abstention: Mr. Waldroup abstained from voting on the application.

Complaint OAB-2024-W151 - Ms. Smith directed the board to their packet where they would find the details of the complaint. The Complainant stated that a complete abstract was ordered and her abstract was used without her permission as reference to the new order. She also alleges that platted information was omitted which she asked to be included. The Respondent states that the abstract was built with all information as requested, but upon review, there was no plat included. When OAB staff responded to the Complainant regarding the receipt of the complaint, she was informed that there was no legal obstruction to using an existing abstract as reference. The Enforcement Committee deemed that there was a plat missing from the abstract and that it needs to be redone, as requested, at no additional charge to the consumer. Ms. Smith asked for a motion to approve the recommendation from the Enforcement Committee. A motion was made by Mr. Koller. Second by Ms. Loggains. Motion passed.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

7. **Report Legal Counsel-Whitney Herzog-Scimeca:** Ms. Scimeca had no report other than working with the Enforcement Committee.
8. **Visitor's Comments:** There were none.
9. **Announcement of next meeting:** Tuesday, January 21, 2025, at 10:00 a.m., 421 NW 13th 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 Ms. Ringo. Second by Mr. Koller. Motion passed.
Yeas: Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.