

**OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
March 21, 2023**

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairperson Randy Coffman 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: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains.
3. The Minutes of the Regular Meeting of the OAB, conducted on February 21, 2023, were reviewed. A motion was made by Mr. Lower to approve the minutes as presented. The motion was seconded by Mr. Ward. Motion carried.
Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.
4. **Chairperson's Report-Randy Coffman:** Mr. Coffman reported that he had nothing to report.
5. **Administrator's Report (Board Report):** Ms. Smith reported that she had nothing to report.
6. **Committee Reports.**
 - a.) **Budget and Finance – Jeff Mapes:** Mr. Mapes gave an update on the budget reporting that the annual budget is \$298,063.00 with encumbrances of \$47,844.74, which gives us a total Year-To-Date Encumbrances and Expenses of \$188,281.96 and a variance of \$109,781.04. The revenue for the month of February was \$51,850.00 and expenses were \$18,613.75 which leaves us with an ending cash balance of \$951,523.95.
After review and discussion, a motion was made by Mr. Mapes to approve the report as presented. Second by Ms. Ringo. Motion carried.
Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.
 - b.) **Rules and Regulations – Randy Coffman:** Mr. Coffman stated that because of a technological glitch, the rules didn't submit properly and therefore, need to be readopted because the submission has to be done within 10 days of adoption and the deadline had passed before the glitch was caught.

Section 5-2-1-2 Definitions After review and discussion, a motion was made by Ms. Ringo to adopt the changes to 5-2-1-2. Second by Mr. Lower. Motion carried.
Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Section 5-11-7-1 Application for permit to develop an abstract plant. After review and discussion, a motion was made by Mr. Kent to adopt the changes to 5-11-7-1. Second by Mr. Mapes. Motion carried.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

c.) **Licensing and Testing-Rex Koller:** Mr. Koller reported that there have been four people who took the test since the last board meeting and four people passed. The next testing date is May 3rd at the Basic Abstractors School and the next regularly scheduled test is May 18th at the testing center.

d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been nine inspections since the last Board Meeting but they won't be reviewed until the next meeting because they didn't take place until after the Enforcement Committee had already met.

e.) **Enforcement Committee Reports-Scott Ward:**

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. Ward 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. Lower. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Renewal of Certificate of Authority (With NO Fee Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet by Adams Title Advantage (Latimer), Pioneer Abstract Company dba Atlas Abstract Company (Hughes), Choctaw County Abstract Company, Durant Abstract, Inc (Bryan), Green Country Abstract and Title Co., LLC (Cherokee), Meurer Abstract and Title Company (Pawnee), Oklahoma Abstract & Title Company (Payne), Ottawa County Abstract and Title Company, Payne County Title Company, Pioneer Abstract & Title Company of Muskogee, Inc. (Muskogee), Pioneer Abstract & Title Company (Harper), Rogers County Abstract Company, Stewart Title of Oklahoma (Carter), Title Abstract Company (Nowata), Tulsa Abstract & Title Co., LLC (Tulsa), and Valley Land Title Company (Sequoyah). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Mr. Koller. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Mr. Coffman and Ms. Loggains abstained from voting on those licenses pertaining to their company's business interests.

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 by Adams Abstract Company, Inc. (LeFlore), Chicago Title Oklahoma Co. (Cleveland), Chicago Title Oklahoma Co. (Oklahoma), First Republic Title Co. dba Goetzinger Abstract & Title Co. (Woodward), Marshall County Abstract Co., LLC (Marshall), Stewart Title of Oklahoma, Inc. (Oklahoma), Woodward County Abstract Company (Woodward). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Mr. Mapes. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Ms. Loggains abstained from voting on those licenses pertaining to her business interests.

Application for New Certificate of Authority: Presented to the Board for approval was an application for a New Certificate of Authority by Chicago Title Co. (Logan). Because Mr. Ward had to leave the Enforcement Committee call before it was over, Ms. Smith stated that the Committee had a question arise that they felt needed to be answered regarding an independent set of records because it wasn't clear in the Services Agreement that Chicago Title could walk away with their own set of records should the companies ever decide to part ways. Mr. Coffman agreed that was correct.

Mr. Coffman opened the floor to the representatives for Jelsma Abstract who made a comment during the comment period. Mr. Joe Fears, an attorney from Tulsa took the floor and referred to a letter sent to the Board regarding the application. In reference to the letter, he stated that the problem with the situation is that there is much that is unknown. They reviewed the documentation that shows Smith Brothers applying for a permit in 2020 in Logan County for which they were issued a permit and started work.

In the meantime, Chicago Title enters the picture with a services agreement between them and Smith Brothers on March 1, 2021. The Agreement seems to describe something different than what Smith Brothers applied for with their permit. The agreement states that Smith Brothers is just an independent contractor that's constructing a plant for Chicago Title who will own the plant, but Smith Brothers can have a copy. That's odd because no permit was sought by Chicago Title and the Rules state that permits to construct abstract plants are non-transferrable. Therefore, if Chicago Title is the one having the plant built by an independent contractor, it would seem like they would have applied for a permit, but that didn't happen for a year and four months.

Therefore, there's confusion related to the actual relationship between the companies for the construction of an abstract plant that would impact the Board's ability to understand what was going on. They finally seek their own permit in July 2022 and show the owner is FNTF Holdings LLC which is an affiliate of Fidelity National Title. The address is the same one as Smith Brothers which suggests that the two

companies are sharing a facility. They list identical procedures but a different list of abstractors. The permit was issued in August 2022. About two months transpired between the issuance of a permit and Chicago Title's application for Certificate of Authority. There is no documentation of Chicago Title actually building an abstract plant.

In the meantime, Smith Brother's application for a New Certificate of Authority was approved and a certificate issued. Then there is some communication that went on and it's stated by someone from Chicago Title that what's actually going on is a joint venture between Chicago Title and Smith Brothers and that they will share a single plant because they have common ownership. However, statements made in the November Board meeting state that no, there's not one plant, but there are two plants and each one is separate although they have common ownership, the majority of which is held by Fidelity National and he's not seeing where that was ever done. Therefore, there are more questions than answers from their perspective.

On the third page of the letter, the next to the last paragraph lists the questions that Jelsma Abstract has. They feel that those questions need to be answered and reviewed before the application can proceed.

Mr. Coffman asked if there were questions from the Board for Mr. Fears. There were none so Mr. Coffman opened the floor to the representative for the applicant.

Michael Avery, counsel for the applicant took the floor. He stated that a letter was sent to the Board's counsel and Administrative Director. He said that he felt the starting point was the question of what was intended by Section 28 that requires an independent set of books. The letter pointed out a couple of Supreme Court cases such as Abstracts of Oklahoma Inc vs Payne County Title from 1992 which explains the language of Section 28 is "designed to force private abstractors to have an independent set of books or indexes so that no reliance is placed upon the indexes of the county office." So the independence is not independence between private abstracting companies, but independence between a private abstracting company and the county records.

That is reinforced by the TIMCO 1984 Supreme Court case that says "the reasoning behind this requirement stems from the fact that the index system used by the County Clerk is not intended to be entirely accurate or to be used for the purpose of engaging in thorough title searches and also the clerk's indexes may not be entirely accurate. Thus, the requirement that the abstractor develop an independent system of indexes is reasonable for ensuring the preparation of abstracts."

There are additional cases listed in the letter that should have been circulated to the Board. That should be the starting point for this discussion. Chicago Title has an entirely independent set of indexes that the Enforcement Committee has had a chance to review and vet in Logan County, and that's all, really.

Beyond that, we've submitted the Services Agreement that shows we are independent from the entities that were referenced in the other presentation. He then asked if there were any questions.

Mr. Coffman asked for questions from the Board.

Ms. Yates the representatives from Chicago Title why they didn't apply for a title to build when they entered the services agreement. Mr. McBride with Chicago Title stated that it was his decision because they wanted to let the process get started. In retrospect, the delay was probably not wise. However, they had never worked on a title plant with those people before and they wanted to see them get started, get some process, and get some progress before they went ahead with the permit. In retrospect, they should have filed it earlier.

Ms. Yates agreed that it was a timing issue because the application for a permit to build should come before you actually start to build.

Mr. McBride stated that there had been discussions about piggy backing on the permit that was already there and whether it should be done. Eventually, they decided that Smith Brothers was preparing the plant on their behalf, so they decided they needed their own permit. The delay was probably not wise. There was no intent to mislead, they just wanted to wait and see if Smith Brothers was going to get the product built before they got any further into it.

Ms. Yates asked about the merger of the companies to which Mr. McBride stated that there was not a merger. Fidelity took over an 80% ownership of FirsTitle which is substantial but not a complete controlling interest. Chicago Title will still be paying the full amount to the other entity and 20% of that would be received by someone other than Fidelity. It probably would have been simpler if Fidelity had simply bought 100% of the company but the companies do not have completely common ownership, therefore, Chicago Title is obligated to pay the contract. They intend to operate their own Certificate of Authority because they have a title plant they've purchased by having someone prepare it on their behalf.

Ms. Yates was satisfied with the responses. Mr. Coffman asked if there were any other questions and Mr. Ward stated that he had some. He asked them to address the matter of each company having their own abstract plant should they part ways.

Mr. McBride stated that when the agreement was written, they were totally separate companies. They always expected to have their own independent title plant that was theirs to do with what they wish. There is no contractual limitation on their ability to use their plant. Once completed, Smith Brothers had no more rights or access to the plant. At the time of the agreement, there was no knowledge of the future acquisition of ownership interest in Smith Brothers by Fidelity.

Mr. Ward stated that he understood that was what was in place at the beginning and asked if they are sharing a plant now. Mr. McBride stated that they are not sharing a plant and have no intention to share a plant. They will probably share the cost of updating the plant but each update will remain separate. Mr. Ward stated that was where some of the confusion entered in and asked Ms. Smith about that. She stated that it was implied to her that PropertySync is going to be doing the ongoing indexing. Mr. McBride stated that PropertySync is going to be a vendor who will be working on the indexing for each plant but each plant will be separate. Ms. Smith stated that it's housed at PropertySync and they're going to be maintaining the plant. Mr. Charles Holleman interjected that PropertySync will not be doing the indexing. Mr. McBride stated that they will be paying for and obtaining updates from Smith Brothers.

Ms. Loggains asked for clarification on what he means by update. Does that mean copies of the documents or copies of the documents and indexed? Mr. McBride said both. Ms. Smith stated that Smith Brothers would be maintaining both plants, then. Mr. McBride stated that it was much in the manner of what's done in Cleveland County. He asked if that helped. Mr. Ward said that it does, but that he wanted to make sure that was clearly documented rather than just relying on what he's saying and that's where he's relying on Ms. Smith to interpret the legal agreement but that it seems cloudy. She agreed that it did seem cloudy to her because he's saying they paid Smith Brothers to build a plant for them, but that was not disclosed until Chicago Title applied for their COA which seemed as if they were trying to hide something. In Oklahoma City and Tulsa where there are shared services agreements, it's clear that any of the companies can walk away with their own copy of the plant. To her, that is not clearly spelled out in the agreement in Logan County but that she's not an attorney who should be relied upon as the sole person interpreting the document.

Mr. McBride stated that there was no walking away to be done when they entered the agreement. He stated that Stewart in Oklahoma County got their plant through a copy from American Title and Trust Company made before the agreement of a shared plant was entered. It was independent from the county's records, but not independent from another company. All updates to that plant were done through an agreement. The agreement does spell out that if anyone decides to walk away from that plant, what they're entitled to walk away with. He stated that CTT and Smith Brothers don't have anything to walk away from because all they're doing is hiring Smith Brothers to do updates for a fee. There was no anticipation of an acquisition. Smith Brothers has no rights to control the plant.

Mr. Coffman asked whether the plant would be a single plant in a single location with access to both companies or are there two separate servers, two separate plants physical separated. Mr. McBride stated that they are two separate plants with separate logins. They're still looking at moving to a different location but right now they are kept in the same place but they can move it somewhere else or to another software vendor without limitation.

Mr. Coffman stated that in Oklahoma County, there is one plant that everyone shares. Mr. McBride stated that in Oklahoma County, a 3rd party vendor, Data Trace, is used and each company independently contracts with them. They handle the indexing and the access to it. When it started, the companies had their own software and people, but over time, they went to Data Trace and each company has independent rights to the information. One company asked for a copy in preparation to leave the agreement, but they haven't done it yet. In Logan County, they asked for someone to prepare a plant for them, they did, and CTT is now seeking a COA. They had a right to receive a copy of the plant as part of the agreement.

Mr. Coffman stated that Smith Brothers began developing their own plant well prior to the agreement. Mr. McBride agreed that was correct and he apologized that it wasn't transparent but wanted to say that the agreement was also applicable to Canadian County.

There will be two separate plants for Logan County that for the time being will have a common vendor doing the updates, but that may change.

Ms. Yates asked about the Smith Brother's applications and how Mr. McBride stated that Smith Brothers received their COA based on a copy of the CTT plant, but that's not how she understood it. Ms. Smith confirmed that at the time, we were completely unaware of any type of agreement between the two companies, and it didn't come to light until CTT applied for their COA.

Ms. Loggains asked whether, once everything was approved, there would be four abstract companies in the county. Ms. Smith confirmed that as being correct, there would be four COAs, but pointed out that one of the certificates is dormant and does no actual abstracting.

Mr. Coffman asked if there was anything else. Mr. Ward said that he still didn't think it was clear that if the companies parted ways that each would have their own plant. Mr. McBride said that he wasn't sure what was meant by split ways. Mr. Ward stated that in other instances where companies are sharing a plant or sharing services it's clear that they can get a copy of the plant but in this instance, it's being said that there are two different plants but also that the plant is in one location with different logins. Just having different logins doesn't mean that it's owned.

Mr. Avery stated that he thinks there is some confusion as to what there is in Oklahoma County in a shared plant rather than in Logan County where it is simply trading on the efficiencies of receiving a copy of the plant. Whether they got a copy of Smith Brothers or Smith Brothers got a copy of Chicago Title's it really doesn't matter. It is not a shared plant on a shared server. There's nothing to walk away from other than a service that is being provided.

Mr. Ward stated that he understands that is what is being said, but he wants to make sure that is documented. Mr. Avery stated that he felt it was pretty clear in the

services agreement. He stated again that the point is really having an independent set of records from the County offices. He stated that while it might be interesting, there's really no need to even be having the discussion about independence between companies. Ms. Loggains stated that if Smith Brothers refused to give them a copy, they wouldn't have a plant. Mr. Avery said they can't say that. Mr. Ward again stated that we just want to be sure it's made clear in documentation and that leaning on Ms. Smith, she's saying that it's muddy.

Mr. McBride asked if they produced a document stating that Smith Brothers prepared the plant for them and belong to them whether the Board would be good. Ms. Yates asked about seeing a copy of the agreement. Ms. Smith told her it was in the Board Packet as part of the company's COA Application.

Mr. Coffman reiterated that they are not sharing a plant, not sharing server, in separate locations to which Mr. McBride agreed that was correct and that if Smith Brothers evaporated tomorrow, all they would have to do is either take over updating the indexing or hire a new vendor. There are other plants that have been built and approved by the Board using a 3rd party vendor that gives them no rights to the plant.

Ms. Smith stated that infers that the builder of the plant has no rights to the plant once it was built. Mr. McBride stated that the builder of the plant received, as part of their compensation, a right to have a copy of the plant.

She stated that she understood what Mr. Avery was saying about independence but that there also has to be independence between companies because the plant is part of the COA which is an asset that can be sold and transferred.

Mr. McBride stated that he understands that the Board is invested in being pro-opportunity and allowing companies to operate in counties and provide competition and have taken steps to improve that. Sometimes two companies who are interested in having a title plant in a county develop a system to share the cost of building the plant. It does multiply the number of companies in a county, but he believes that's a good thing.

Mr. Ward asked Ms. Smith what would need to be done to show they have an independent plant. She replied that she felt they had an independent plant from the county and the only concern she pointed out was the independence from each other should there be a separating of the COAs.

Mr. Coffman asked about her site visit as part of the inspection process and what she saw. She did visit the location but it was essentially the exact same offices as Smith Brothers which inside only says FirsTitle. Outside there are signs for both companies. When she did her searches for each company which was done separately, were done through a log in to PropertySync. They independently prepared abstracts and chains of title. Mr. Coffman stated that it was his understanding that they were in the same building in Guthrie but in different offices. Ms. Smith stated they were in the same

office. Mr. Holleman stated that Chicago Title has their own office in the same suite. Ms. Loggains asked if the searches were done on different computers. Ms. Smith stated no, the searches were done from her office because PropertySync is web based. Mr. McBride said that it could have been done from different computers if requested.

Mr. Kent stated that he felt that there was agreement that the situation could have been handled better but that the end product is complete and seems in line. Therefore, what is needed from the applicant to stop speaking in circles. Ms. Smith stated that if the Board is satisfied there could be a motion and a vote. It's not up to her, she was simply conveying the information she discerned from the application.

Ms. Scimeca stated that some people tried to retain the remainder of their 30 minutes of allowed speaking time and suggested Mr. Coffman see if there were any other comments.

Mr. Fears stated that the issue wasn't one of independence but of what in the world was going on. They weren't sure if there was a plant or not and wanted to see what the actual facts were.

Mr. Coffman stated that if there could be more verification of the independence and the sharing of offices and servers or whether it was two separate logins to the same plant. Mr. Avery stated that he thought the issue had been raised and wanted to know what the Board would like if they didn't believe the Services agreement was adequate. He offered the option of swearing the applicants in and having them give an oath or going back to his office and write up an affidavit. Ms. Smith asked for input from Ms. Scimeca who said they were present to testify which would be preferable because they're present.

Ms. Yates stated that there seems to be difficulty surround the physical presence of a server or an office, but we're really discussing the legal aspect of the information that was prepared. It's not really a matter of being able to take it away. In reading the service agreement, it feels like it's sufficient to ensure that it is independent in a legal sense.

Mr. Lower stated that it was a unique situation before the Board that was handled in a backwards and confusing way and understands the questions from the Commenter because he had the same ones. He feels like those questions have been answered. At this point, he thinks that if the application were denied, the Board would be throwing the baby out with the bathwater. He feels that the questions have been answered and is ready to move forward.

Mr. Mapes stated that he felt the confusion could have been avoided if they had made their applications in a timelier fashion.

Mr. Coffman asked Mr. Lower and Ms. Yates if they, as attorneys felt the Services Agreement was sufficient to establish the independence of two separate companies. They both stated that they felt it was.

Mr. Lower asked if they needed to be sworn in. Mr. Ward asked whether or not it was necessary and that's all he'd been asking for. Mr. Kent said it seemed like it would be overkill to him.

Mr. Coffman asked for any final comments or questions. No further questions or comments were given.

Ms. Smith read the Director's Report into the record:

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 Logan County, as well as all Certificate of Authority holders in Logan County.

Comments were received from the competitor and were taken into consideration upon the review of the application.

Payment of the applicable fees have been made in the correct amount of \$1,200.00. E&O Insurance in the sum of \$10,000,000.00 and a County records bond of \$25,000.00 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 Logan.

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 Chicago Title Oklahoma Co. be approved.

Signed Katherine Smith, State Administrator of Abstracting dated March 21st, 2023.

After review and discussion, a motion was made by Mr. Kent to approve the application. Second by Ms. Yates. Motion passed.

Yeas: Darin Kent, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Mr. Koller and Ms. Ringo abstained from voting on those licenses pertaining to their company's business interests.

New Permit to Build an Abstract Plant: Presented to the Board for approval was an application for a New Permit to Build an Abstract Plant by Smith Brothers Abstract & Title Co. (Texas). After discussion and comments, a motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Ms. Yates. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

New Permit to Build an Abstract Plant: Presented to the Board for approval was an application for a New Permit to Build an Abstract Plant by Smith Brothers Abstract & Title Co. (Cimarron).

Ms. Smith stated that a comment had been received from the existing COA holder regarding the application and were present in the meeting.

Jamie Harmon, representing Cimarron County Abstract, the existing COA holder was given the floor. She stated that Cimarron was a single-source county and very small. It would be one thing if there were problems in the county, but there are not and it's not necessary to have another company there. When she started fifteen years ago, the company averaged approximately fifteen orders a month and it dwindled to around twelve and this year, they're on track to do about ten orders a month. With two companies, neither is going to make a profit.

Mr. Kent asked how many counties were single source. Ms. Smith stated that there are several rural counties with only one company, off the top of her head, approximately 30% are single-source counties, and pointed out that economic factors is not one of the criteria the Board is required to consider when reviewing an application but as always, the decision is the Board's.

Ms. Scimeca reiterated the criteria for reviewing an application. Mr. Lower stated that he agreed that it's not a problem county and the existing COA holder does a fine job.

After discussion and comments, a motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Mr. Lower. Motion passed.

Yeas: Darin Kent, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Mr. Koller and Ms. Ringo abstained from voting on those licenses pertaining to their company's business interests.

Renewal of Permit to Build an Abstract Plant: Presented to the Board for approval was an application for a Renewal of Permit to Build an Abstract Plant by Southern Oklahoma Abstract and Title, Inc. (Atoka). After discussion and comments, a motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Mr. Kent. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Complaints OAB-2022-W142: Ms. Smith reported that the complaint was against a closing company. There were items marked on the form regarding abstracting so she reached out to the company twice to let them know the OAB has no regulatory oversight of closers but that we would be more than willing to look into the abstracting issues. There was no response from the Complainant after two attempts. The recommendation of the Enforcement Committee is that the complaint can be closed due to the scope about the Respondent was outside our regulatory authority and receiving no response about the abstract portion of their complaint. A motion was made by Mr. Ward on behalf of the Enforcement Committee to close the complaint and termination of the investigation. Second by Mr. Kent. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

7. **New Business:** Mr. Coffman asked for new business. There was none.
8. **Report Legal Counsel-Whitney Herzog-Scimeca:** Ms. Scimeca stated that she had been working with the Enforcement Committee and on the case that has been filed in Carter County – CV-2022-159. The Board has filed a Motion to Transfer for Non-convenience which is scheduled to be reviewed on March 24, 2023 at 2:00 PM.
9. **Visitor's Comments:** Mr. Coffman asked for any visitor comments. Terri Parrish made a comment that as an owner of an abstract office in a small county that the actual physical presence is of great importance, therefore, remember when reviewing the sites that the companies actually have a location in the county.
10. **Announcement of next meeting:** Tuesday, April 18, 2023, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
11. **Executive Session for Staff Reviews:** A motion was made by Mr. Kent to enter Executive Session. Second by Ms. Ringo.
Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

A motion was made by Mr. Kent to exit Executive Session. Second by Mr. Ward.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Mr. Coffman stated that the board wished to table the employee review process until the April Meeting to allow time for information gathering.

12. **Adjournment:** Mr. Coffman asked for a motion to adjourn the meeting. Motion was made by Mr. Ward. Second by Ms. Ringo. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.