

**OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
May 16, 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. Mr. Kent arrived a few minutes late.
3. The Minutes of the Regular Meeting of the OAB, conducted on April 18, 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: 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 had no report.
5. **Administrator's Report (Board Report):** Ms. Smith reported Ms. Harper had her baby and is out on maternity leave, scheduled to return July 17th. She also reported that the office would be closed the following day, May 17th, while she is out of the office performing inspections.
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 \$39,325.94, which gives us a total Year-To-Date Encumbrances and Expenses of \$220,744.94 and a variance of \$77,318.06. The revenue for the month of April was \$40,295.00 and expenses were \$19,090.95 which leaves us with an ending cash balance of \$1,000,537.17. After review and discussion, a motion was made by Mr. Mapes to approve the report as presented. Second by Ms. Yates. 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.

Proposed FY2024 Budget: Mr. Mapes called attention to the proposed budget in the Board Member's packet. The only increases were the incremental increases as required by the state and the staff increases approved at the previous meeting. After review and discussion, a motion was made by Mr. Mapes to approve the budget as presented. Second by Mr. Kent.

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 reported that at last month's meeting, the committee brought forward an issue they'd been working on and brought it to the entire board for discussion. It had to do with the language in Title 5 related to the certification of the conversion of an abstract from one format to another. The rule currently says that the certification has to be done by a licensed abstractor working for a current COA holder in the county where the property is located.

There was a lot of lengthy discussion and in the interest of completing the meeting, the issue was tabled for this month. When the rule was proposed and approved a couple of years ago, the committee had spent over a year working on the language in a number of meetings. Based on the feedback that was received last month and continuing to review the language, he feels it would be in the Boards interest to throw the meeting back to the Rules Committee so there can be further discussion on the matter.

Anyone is able to attend the committee meeting to take part in the discussion.

- c.) **Licensing and Testing-Rex Koller:** Mr. Koller reported that since the last board meeting, there were 29 people who took the test and 24 who passed. The next testing date is May 18th at the testing center.
- d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been seven inspections since the last Board Meeting. Three companies had no findings, but four did and the recommendations from the Enforcement Committee for penalties related to the companies is in the packet. There were no questions or discussion, so she asked for a motion to approve the inspection reports as presented and the recommendation from the Enforcement Committee. A motion was made by Mr. Ward. 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.

- 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 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.

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 Atoka Abstract, LLC (Atoka), Guaranty Abstract Company (Jefferson), Southeastern Oklahoma Abstract & Title, LLC dba Southern Abstract &

Title (McCurtain), and Sulphur Abstract and Title Company (Murray). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. 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.

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 AAA Abstract Company, Inc. (Adair). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. 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.

Rate Changes Only: Presented to the Board for approval were amended rate sheets by Photo Abstract Company (Ottawa), Abstract & Guaranty of Blaine County (Blaine), and The Musselman Abstract Company, Inc. (Washington). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the amended rate sheets. 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.

Application for NEW Certificate of Authority: Presented to the Board for approval was an application for a New Certificate of Authority by Arbuckle Closing & Escrow Service, LLC dba Arbuckle Title & Abstract, LLC (Carter). 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.

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

No comments were received from any party.

Payment of the applicable fees have been made in the correct amount of \$1,200.00. E&O Insurance in the sum of \$2,000,000.00 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 Carter.

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 Arbuckle Closing & Escrow Service, LLC dba Arbuckle Title & Abstract, LLC. be approved.

Signed Katherine Smith, State Administrator of Abstracting and dated May 16, 2023.

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

Application for Transfer of Ownership: Presented to the Board for approval was an application for a Transfer of Ownership by Pushmataha County Abstract to Southeastern Abstract & Title, LLC dba Pushmataha County Abstract. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. 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.

Application for Transfer of Ownership: Presented to the Board for approval was an application for a Transfer of Ownership by Latimer County Abstract to Southeastern Abstract & Title, LLC dba Latimer County Abstract. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Ms. Ringo. Motion passed.

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

Abstention: Sue Ann Loggains since her company is a direct competitor.

Application for Transfer of Ownership: Presented to the Board for approval was an application for a Transfer of Ownership by Choctaw County Abstract to Southeastern Abstract & Title, LLC dba Choctaw County Abstract. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. 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.

Application for Transfer of Ownership: Presented to the Board for approval was an application for a Transfer of Ownership by Southern Abstract & Title (McCurtain) to Southeastern Abstract & Title, LLC dba Southern Abstract & Title (McCurtain). 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.

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 Enterprise Land Title Data of Oklahoma, LLC (Oklahoma). 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, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

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 American Eagle Abstract of Canadian County. 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, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

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 Oklahoma Digital Abstract, LLC dba American Eagle Abstract of Kingfisher County. 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.

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 Oklahoma Digital Abstract, LLC dba American Eagle Abstract of Garfield County. 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.

Complaint OAB-2023-W144: The complaint was presented to the Board for review but related to a company and issues related to title insurance that were outside the

Board's scope of authority therefore, the Enforcement Committee recommends closure of the complaint and termination of the investigation. After discussion and comments, a motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the recommendation from the Enforcement Committee. 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.

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 gave an update on the ongoing case in Carter County CV-2022-159. The request to change venue was granted, transferring the matter to Love County, but there are no other updates at this time. Once the Love County court system records the case, she'll give an update.
9. **Visitor's Comments:** Mr. Coffman asked for any visitor comments. There were none.
10. **Announcement of next meeting:** Tuesday, June 20, 2023, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
11. **Adjournment:** Mr. Coffman asked for a motion to adjourn the meeting. Motion was made by Mr. Lower. 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.