

**OKLAHOMA REAL ESTATE COMMISSION
REGULAR BUSINESS MEETING**

Denver N. Davison Building
1915 North Stiles – Suite 200
Oklahoma City, Oklahoma 73105-4915

MAY 12, 2021

AGENDA

OPENING OF BUSINESS MEETING

1. Call to Order at 9:30 am
2. Invocation and Pledge of Allegiance
3. Approval of Minutes from the March 24, 2021 meeting
4. Public Participation (“Open Topic”)
5. The Commission may vote to approve, disapprove, or take other action on any item listed on this Agenda

FORMAL ACTIONS

CONSENT ORDER

C-2020-113: Patty S. Dingle (BP) and Benny Cheyenne Stanley (SA) – Atoka

Possible violation(s) by Respondent Patty S. Dingle:

1. Title 59, O.S. §§ 858-312(8)-(9) and *Okla. Admin. Code* § 605:10-17-4(6), in that, Respondent violated or disregarded a provision of the Oklahoma Real Estate License Code or Rules by failing to properly supervise the activities of Respondent Stanley, as she failed to ensure Respondent Stanley held an active real estate license prior to performing licensable activity under her supervision.

Possible violation(s) by Respondent Benny Cheyenne Stanley:

2. Title 59, O.S. §§ 858-201, 858-301, in that, Respondent engaged in licensable real estate activities while his license was lapsed and received commissions or other valuable consideration from numerous transactions.

Consent: Respondent Patty S. Dingle hereby consents to an administrative fine of Five Hundred Dollars (\$500). Respondent Benny Cheyenne Stanley hereby consents to an administrative fine of Twenty Thousand Dollars (\$20,000).

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

- 1. Vote to enter into Executive Session**
- 2. Discussion in Executive Session**
- 3. Vote to return to Open Session**
- 4. Commission to vote/take appropriate action on the Consent Order action on the Consent Order**

U-2020-5: Belmont Management Company, Inc. (Unlicensed) and Ryan Hudspeth (Unlicensed)

- OKC

Possible violation(s) by Respondents Belmont Management Company, Inc. and Ryan Hudspeth:

1. Title 59, O.S. §§ 858-301, 858-312(9) in that, Respondents violated or disregarded a provision of the Oklahoma Real Estate License Code or Rules by conducting licensable property management activities without an Oklahoma Real Estate License.

Consent: Respondent Belmont Management Company, Inc. consents to the payment of an administrative fine of Twenty Eight Thousand Five Hundred Dollars (\$28,500). Respondent Hudspeth is dismissed from the complaint.

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

- 1. Vote to enter into Executive Session**
- 2. Discussion in Executive Session**
- 3. Vote to return to Open Session**
- 4. Commission to vote/take appropriate action on the Consent Order action on the Consent Order**

C-2020-106: Michele Dee Ann Pierce (SA) – OKC

Possible violation(s) by Respondent Michele Dee Ann Pierce:

1. Title 59, O.S. §§ 858-312(9), 858-312(19), in that, Respondent was convicted in a court of competent jurisdiction of the crime of forgery, embezzlement, obtaining money under false pretenses, extortion, conspiracy to defraud, fraud or any similar offense or offenses.

Consent: Respondent Michele Dee Ann Pierce consents to the surrender of her Oklahoma Real Estate License and shall not be eligible to re-apply for one (1) year from the date this Order is adopted by the Commission. Respondent also consents to an administrative fine of Five Hundred Dollars (\$500).

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

- 1. Vote to enter into Executive Session**
- 2. Discussion in Executive Session**
- 3. Vote to return to Open Session**

4. Commission to vote/take appropriate action on the Consent Order action on the Consent Order

C-2020-067: Whittington Realty, LLC, Richard S. Whittington (BM) and Rosalia A. Salgado (SA) – OKC

Possible violation(s) by Respondent Richard S. Whittington:

1. Title 59, O.S. §§ 858-312(8)-(9); *Okla. Admin. Code* § 605:10-17-4(6), in that, Respondent violated or disregarded a provision of the Oklahoma Real Estate License Code or Rules by failing to properly supervise the activities of an associate.

Possible violation(s) by Respondent Rosalia A. Salgado:

2. Title 59, O.S. §§ 858-312(8)-(9); *Okla. Admin. Code* § 605:10-13-1(1)(D), in that, Respondent violated or disregarded a provision of the Oklahoma Real Estate License Code or Rules by failing to submit earnest money into the designated escrow account before the end of the third banking day following acceptance of an offer.

Consent: Respondent Whittington Realty, LLC is dismissed from the case. Respondent Richard S. Whittington consents to the payment of an administrative fine of Five Hundred Dollars (\$500). Respondent Rosalia S. Salgado consents to the payment of an administrative fine of Five Hundred Dollars (\$500).

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

1. **Vote to enter into Executive Session**
2. **Discussion in Executive Session**
3. **Vote to return to Open Session**
4. **Commission to vote/take appropriate action on the Consent Order action on the Consent Order**

C-2020-102: Quality Properties Rty, Inc., John R. Halslip Jr. (BM) and Vincent G. Haney (SA) – Durant

Possible violation(s) by Respondent Quality Properties Rty, Inc.:

1. Title 59, O.S. § 858-312(8) and *Okla. Admin. Code* § 605:10-17-4(6), in that, Respondent may have violated or disregarded a provision of the Oklahoma Real Estate License Code or Rules by failing to properly supervise the activities of an associate.

Possible violation(s) by Respondent Vincent G. Haney:

2. Title 59, O.S. §§ 858-312(8) and *Okla. Admin. Code* § 605:10-17-4(15), in that, Respondent may have violated or disregarded a provision of the Oklahoma Real Estate License Code or Rules as Respondent may have discouraged a party from obtaining an inspection on a property.

Consent: Respondent John R. Halship Jr. is dismissed from the case. Respondent Quality Properties Rty., Inc. consents to the payment of an administrative fine of Three Hundred Fifty Dollars (\$350). Respondent Vincent G. Haney consents to payment of an administrative fine of One Thousand Five Hundred Dollars (\$1,500).

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

- 1. Vote to enter into Executive Session**
- 2. Discussion in Executive Session**
- 3. Vote to return to Open Session**
- 4. Commission to vote/take appropriate action on the Consent Order action on the Consent Order**

C-2020-112: ABW, Inc., Judy Nelson-Bruley (BM) and Estela Hernandez (SA) – OKC

Possible violation(s) by Respondent Estela Hernandez:

1. *Okla. Admin. Code* § 605:10-17-4(20), in that, Respondent disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to disclose a known immediate family relationship to a party to a transaction for which brokerage services were provided.

Consent: Respondent ABW, Inc. is hereby dismissed. Respondent Judy Bruley- Nelson is hereby dismissed. Respondent Estela Hernandez consents to the payment of an administrative fine of Five Hundred Dollars (\$500).

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

- 1. Vote to enter into Executive Session**
- 2. Discussion in Executive Session**
- 3. Vote to return to Open Session**
- 4. Commission to vote/take appropriate action on the Consent Order action on the Consent Order**

C-2020-103: Kori J. Thompson (BP) – Ardmore

Possible violation(s) by Kori J. Thompson:

1. *Okla. Admin. Code* § 605:10-17-4(4), 605:10-17-4(6) in that, Respondent disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules by entering into a buyer broker contract with no start date or termination date.

Consent: Respondent consents to payment of an administrative fine of Eight Hundred Dollars (\$800).

Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the Consent Order and appropriate disciplines, if any:

- 1. Vote to enter into Executive Session**
- 2. Discussion in Executive Session**

3. **Vote to return to Open Session**
4. **Commission to vote/take appropriate action on the Consent Order action on the Consent Order**

END OF FORMAL ACTIONS

CASE EXAMINER REPORT

C-2021-32: ABW Edmond, Inc., Susan Kessler Miller (BM) and Devon Dunham (SA)

Possible violations by Respondent Dunham:

1. Title 59, O.S. § 858-312(9) and *Okla. Admin. Code* § 605:10-17-2(b), in that, Respondent may have disregarded or violated a provision of the Oklahoma Real Estate Code or Rules by failing, upon demand in writing, to file a written response to a Compliant within fifteen (15) days of the notice.
2. Title 59, O.S. § 858-312(6), in that, Respondent may have failed within reasonable time, to account for or remit any monies, documents, or other property coming into possession of the licensee which belong to others.
3. Title 59, O.S. § 858-312(B)(2), in that, Respondent may have failed to keep the party informed regarding the transaction, by failing to communicate with property owners.
4. Title 59, O.S. § 858-312(8) *Okla. Admin. Code* § 605:10-17-4(9), in that, Respondent may have may have disregarded or violated a provision of the Oklahoma Real Estate Code or Rules by failing, upon demand in writing, to respond to a complaint in writing or disclose any information within licensee's knowledge, or to produce any document, book or record in licensee's possession or under licensees' control that is real estate related and under the jurisdiction of the Real Estate Commission for inspection to a member of the Commission staff or any other lawful representative of the Commission.
5. Title 59, O.S. §§ 858-312(2)(8)-(9), in that, Respondent may have made substantial misrepresentations or false promises in the conduct of business, which are intended to influence, persuade, or induce others.
6. Title 59, O.S. §§ 858-312(2), 858-312(8)-(9),(11) and *Okla. Admin. Code* § 605:10-17-4(12), in that, Respondent may have demonstrated conduct in which constitutes untrustworthy, improper, fraudulent or dishonest dealings.

Recommendation: ABW Edmond, Inc. and Susan Kessler Miller be dismissed, and Respondent Devon Dunham be scheduled for a formal hearing.

C-2021-34: Daniel Perry II (PSA)

Possible violation by Respondent Perry:

1. Title 59, O.S. § 858-312(6), in that, Respondent Daniel Perry may have failed within reasonable time, to account for or to remit any monies, documents, or other property coming into possession of the licensee which belong to others as he failed to turn over documents pertaining to the execution of a listing contract to his managing broker.

[Recommendation: Set for Formal Hearing](#)

C-2021-12: NorthStar Properties of OKC, LLC and James Potts (BM) – Norman

Possible violation by Respondents Northstar Properties of OKC LLC and James Potts:

1. Title 59, O.S. § 858-312(8) and *Okla. Admin. Code* § 605:10-17-4(9), in that, Respondents may have conducted themselves in a manner which constitutes untrustworthy, improper, fraudulent or dishonest, by failing, upon demand in writing, to respond to a complaint in writing or to disclose any information within licensee's knowledge, or to produce any document, book or record in licensee's possession or under licensee's control that is real estate related and under the jurisdiction of the Real Estate Commission for inspection to a member of the Commission staff or any other lawful representative of the Commission.

[Recommendation: Set for Formal Hearing](#)

C-2021-13: MBZ Property Management, LLC and Mathew Zalk (BM) – Tulsa

Possible violation by Respondents MBZ Property Management LLC and Mathew Zalk:

1. Title 59, O.S. §§ 858-312(8)-(9) and *Okla. Admin. Code* § 605:10-17-4(16), in that, Respondents MBZ Property Management LLC and Mathew Zalk may have engaged in conduct which constitutes untrustworthy, improper, fraudulent or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by allowing access to, or control of, real property without the owner's authorization as they allowed contractors and cleaning crews access to complainant's property before the contract was fully consummated.

[Recommendation: Set for Formal Hearing](#)

C-2021-40: Wougim Heap of Birds (SA)

Possible violation by Respondents Wougim Heap of Birds:

1. Title 59, O.S. §§ 858-312 (20), in that, Respondents may have advertised to buy, sell, rent, or exchange real estate without disclosing that he was a real estate licensee.

[Recommendation: Set for Formal Hearing](#)

GENERAL BUSINESS

1. Director's Report
 - a. Commission Update
 - b. Legislative Update
2. Financial Update
3. Property Management Task Force Discussion
4. Recognizing Commissioner Steve Burris
5. Recognizing Commissioner Monica Wittrock
6. Performance Review of the Executive Director pursuant to 59 *Okla. Stat.* § 858-208(16)
 - a. Possible vote to enter into Executive Session.
 - b. The Commission may vote to enter into Executive Session to discuss the employment of the Executive Director pursuant to 25 O.S. § 307(B)(1).

NEW BUSINESS

Any new business not known about or reasonably foreseen prior to the time of posting of this agenda

UPCOMING MEETING DATES

- July 14, 2021 (Strategic Planning)
 - September 13, 2021

ADJOURNMENT

The Chair will call the meeting adjourned upon conclusion of all Commission business