



**OKLAHOMA**  
Real Estate Commission

Mayo Hotel  
115 W. 5<sup>th</sup> Street  
Tulsa, Oklahoma 74103

**September 14, 2022**

**AGENDA**

**OPENING OF BUSINESS MEETING**

- I. Call to Order at 2:00 pm
- II. Invocation and Pledge of Allegiance
- III. Approval of June 8, 2022, Meeting Minutes
- IV. Public Participation (“Open Topic”)
- V. The Commission may vote to approve, disapprove, or take other action on any item listed on this Agenda

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**FORMAL ACTIONS**

**APPLICANT APPEALS**

**A-2022-04: Maryann Rodriguez (PSA)**

The Commission denied Ms. Rodriguez’s application on June 28, 2022, because of information provided and gathered by the Investigations Department, which revealed felony criminal conviction(s) on background record in compliance with 59 Okla. Stat. § 858-301.1(B).

**A-2022-08: Melissa Ross (PSA)**

The Commission denied Ms. Ross’s application on August 3, 2022, because of information provided and gathered by the Investigations Department, which revealed felony criminal conviction(s) on background record in compliance with 59 Okla. Stat. § 858-301.1(B).

**A-2022-09: Dalton Watts (PSA)**

The Commission denied Mr. Watts’s application on August 12, 2022, because of information provided and gathered by the Investigations Department, which revealed felony criminal conviction(s) c on background record in compliance with 59 Okla. Stat. § 858-301.1(B).

**A-2022-11: Bobby Horta (PSA)**

The Commission denied Mr. Horta’s application on August 4, 2022, because of information provided and gathered by the Investigations Department, which revealed felony criminal conviction(s) on background record in compliance with 59 Okla. Stat. § 858-301.1(B).

*Pursuant to 25 O.S. § 307(B)(8), an Executive Session is available to discuss appropriate action in response to the findings contained in the application report:*

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 denial of the Application for an Oklahoma real estate license*

**DISCIPLINARY ACTIONS**

**HEARING EXAMINER REPORTS**

**C-2021-289: Karah Brown (SA) & F& G Holdings**

Proposed Violation(s) by Respondent **Brown**:

- a. Respondent Brown engaged in conduct which constitutes untrustworthy, improper, fraudulent or dishonest dealings and disregarded or violated provisions of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by performing licensed activities outside her broker's supervision, as she knowingly operated a property management business outside of the agency in which she was licensed, in violation of **Title 59, Oklahoma Statutes, Sections**

**858-301, 858-312(8)-(9), and Okla. Admin. Code § 605:10-17-4(22).**

- b.** Respondent F &G Holdings, LLC engaged in licensable real estate activities prior to obtaining the required real estate license by soliciting owners of properties for rent or lease and soliciting for prospective tenants within the State of Oklahoma and received a commission or other valuable consideration from those transactions, in violation of **Title 59, Oklahoma Statutes, Sections 858-301, 858-312(8)-(9), and 858-401.**

**The Hearing Examiner recommends:**

- 1.** Respondent **Karah Brown** is assessed a **\$5,000 fine and her license should be revoked.**
- 2.** Respondent F&G Holdings, LLC is assessed a **\$5,000 fine.**

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**C-2021-90: Erica Mataya**

Proposed Violation(s) by Respondent **Mataya (SA)**:

- a.** Respondent Mataya conducted herself in a manner which was improper, fraudulent, or dishonest by unilaterally modifying a document without the knowledge and written approval of all parties to the transaction in violation of **Title 59, Oklahoma Statutes, Section 858-312(8).**
- b.** Respondent made a substantial misrepresentation in the conduct of business, which was intended to persuade the title company to pay funds to her client by unilaterally modifying a document without the knowledge and written approval of all parties to a transaction in violation of **Title 59, Oklahoma Statutes, Section 858-312(2).**
- c.** Respondent disregarded or violated a provision of the Oklahoma Real Estate License Code or rules promulgated by the Commission by obtaining funds for her client by unilaterally modifying a document without the knowledge and written approval of all parties to the transaction in violation of **Title 59, Oklahoma Statutes, Section 858-312(9).**

**The Hearing Examiner Recommends:**

- 1.** Respondent is assessed a **\$5,000 fine and her license is suspended for six (6) months.**

## **CONSENT ORDERS**

### **C- 2022-201: Comco Solutions, Inc. and Ryan Woods (MB)**

Violation(s) by Respondents **Comco Solutions, Inc. and Ryan Woods:**

- a. **59 Okla. Stat. §§ 858-312(8)-(9);**
- b. **59 Okla. Stat. § 858-312(14);**
- c. **59 Okla. Stat. § 858-312(21);**
- d. **59 Okla. Stat. § 858-301; and**
- e. **Okla. Admin. Code § 605:10-17-4(21)** as Respondents violated provisions of the Oklahoma Real Estate License Code and Administrative Rules promulgated by the Commission, by: conducting licensable real estate activities via two (2) transactions with an *expired* managing broker license; (2) operating a brokerage without an actively licensed real estate broker, (3) paying commissions to an unlicensed person. Respondent did not complete all required continuing education prior to expiration of licensure.

#### **Proposed Consent Order:**

1. **Respondent Comco Solutions, Inc.** is dismissed from this Complaint.
2. **Respondent Ryan Woods (MB)** hereby consents to a **Four Thousand Dollar (\$4,000) Administrative Fine.**

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### **C- 2022-203: Conlar, LLC and Larry Hodges (MB)**

Violation(s) by Respondents **Conlar, LLC and Larry Hodges:**

- a. **59 Okla. Stat. §§ 858-312(8)-(9);**
- b. **59 Okla. Stat. § 858-312(14);**
- c. **59 Okla. Stat. § 858-312(21);**
- d. **59 Okla. Stat. § 858-301; and**
- e. **Okla. Admin. Code 605:10-17-4(6); Okla. Admin. Code 605:10-17-4(21)**, as Respondents violated provisions of the Oklahoma Real Estate License Code and Administrative Rules promulgated by the Commission, by: (1) conducting licensable real estate activities and transactions with an *expired* managing broker license; and (2) operating a brokerage without an actively licensed real estate

broker. Respondent Hodges completed 23 out of 21 required hours of continuing education prior to expiration of licensure, but failed to pay his renewal fee.

**Proposed Consent Order:**

1. **Respondent Conlar, LLC** hereby consents to a **One Thousand Dollar (\$1,000) Administrative Fine.**
  2. **Respondent Larry Hodges (MB)** hereby consents to a **One Thousand Dollar (\$1,000) Administrative Fine.**
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**C- 2022-206: Martha Thomas (BP)**

Violation(s) by Respondent **Martha Thomas (BP)**:

- a. Respondent Mataya violated provisions of the Oklahoma Real Estate License Code and Administrative Rules promulgated by the Commission by improperly sending an inspection report to a third party without the consent or knowledge of the individual who paid for and owns the report in violation of **Title 59, Oklahoma Statutes, Section 858-312(8)-(9); Okla. Admin. Code 605:10-17-4(12).**

**Proposed Consent Order:**

1. **Respondent Thomas (BP)** hereby consents to a Five Hundred Dollar (\$500) Administrative Fine.
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**C- 2022-25: Platinum Realty, LLC, Dennis Perkins and Lisa Goulet**

Violation(s) by Respondents **Platinum Realty, LLC and Dennis Perkins**:

- a. **Title 59 O.S. §§ 858-312(8) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Goulet as she advertised offering a referral fee to unlicensed persons using an unregistered trade/team name.

Violation(s) by Respondent **Lisa Goulet**:

- a. **59 Okla. Stat. § 858-312(2);**

- b. **59 Okla. Stat. § 858-312(8)-(9);**
- c. **59 Okla. Stat. § 858-312(14); and**
- d. **Okla. Admin. Code §§ 605:10-9-4**, as Respondent violated provisions of the Oklahoma Real Estate License Code and Administrative Rules promulgated by the Commission by advertising offering a \$300 referral fee to unlicensed persons using an unregistered trade or team name that could be misconstrued as that of a firm name.

**Proposed Consent Order:**

- 1. **Respondent Platinum Realty, LLC** is dismissed from this complaint.
  - 2. **Respondent Dennis Perkins (MB)** hereby consents to: (1) **Letter of Caution**; and (2) **Administrative Fine** in the amount of **One Hundred Dollars (\$100)**.
  - 3. **Respondent Lisa Goulet (SA)** hereby consents to an **Administrative Fine** in the amount of **Five Hundred Dollars (\$500)**.
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**C- 2022-270: Allied, Inc., Patrick Garrett (MB), and Lana Place (SA)**

Violation(s) by Respondents **Allied, Inc.** and **Patrick Garrett**:

- a. **Title 59 O.S. §§ 858-312(8)-(9) and Okla. Admin. Code §§ 605:10-17-4(6), 605:10-9-3**, as Respondents failed to ensure the advertising activities of Respondent Place were in compliance, as she advertised and conducted business using an unregistered trade name that is identical to a payment of commission entity that is prohibited from advertising or conducting business under.

Violation(s) by Respondent **Lana Place**:

- a. **59 Okla. Stat. § 858-312(9), and Okla. Admin. Code §§ 605:10-9-4(b)(3), 605:10-7-8.4(1), 605:10-7-8.4(6)** as Respondent violated provisions of the Oklahoma Real Estate License Code and Rules by advertising using an unregistered trade name and simultaneously advertising and conducting business using a business entity name that is identical to a registered payment of commission entity name.

**Proposed Consent Order:**

- 1. **Respondent Allied Inc.** hereby consents to a **Letter of Caution regarding updating approvals and registrations with the Commission.**

2. **Respondent Patrick Garrett (MB)** is dismissed from this complaint with a **Letter of Caution** regarding supervision of associate advertising and requisite registrations.
3. **Respondent Lana Place (SA)** hereby consents to a **Four Hundred Dollar (\$400) Administrative Fine**.

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**C- 2022-167: FSM Investment Group, LLC, Jason Kilbreath (MB), Monica Ibison (SA)**

Violation(s) by Respondents **FSM Investments Group, LLC and Jason Kilbreath:**

- a. **Title 59 O.S. §§ 858-312(8)-(9) and Okla. Admin. Code §§ 605:10-17-4(6), 605:10-9-3.2** as Respondents failed to properly supervise the activities of Respondent Ibison as she advertised using an unregistered team / trade name, which could be construed as a firm name.

Violation(s) by Respondent **Monica Ibison:**

- a. **59 Okla. Stat. §§ 858-312(9), 858-301, 858-401 and Okla. Admin. Code §§ 605:10-9-3.2**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by advertising using an unregistered team name/trade name in an MLS advertisement and social media or web advertisements.

**Proposed Consent Order:**

1. **Respondent FSM Investment Group, LLC** is dismissed from this complaint.
  2. **Respondent Jason Kilbreath (MB)** hereby consents to: (1) a **Letter of Caution**, and (2) **an Administrative Fine** in the amount of **Two Hundred and Fifty Dollars (\$250)**.
  3. **Respondent Monica Ibison (SA)** hereby consents to an **Administrative Fine** in the amount of **Three Hundred and Fifty Dollars (\$350)**.
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**C- 2022-95: Threshold Investments OKC, LLC, Jeffrey Langum and Jilian Gardner**

Violation(s) by Respondents **Threshold Investments OKC, LLC and Jeffrey Langum:**

- a. **Title 59 O.S. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Gardner as she advertised using an unregistered team / trade name.

Violation(s) by Respondent **Jilian Gardner**:

- a. **59 Okla. Stat. § 858-312(9), and Okla. Admin. Code §§ 605:10-9-3**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by advertising using an unregistered team name/trade name.

**Proposed Consent Order:**

1. **Respondent Threshold Investments OKC, LLC** is dismissed from this complaint.
  2. **Respondent Jeffrey Langum (MB)** hereby consents to a **Letter of Caution**.
  3. **Respondent Jilian Gardner (SA)** hereby consents to an **Administrative Fine** in the amount of **Two Hundred and Fifty Dollars (\$250)**.
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**C- 2022-135: Chamberlin Realty, LLC, Grant Wortman (MB), and Jamey Holmes (SA)**

Violation(s) by Respondents **Chamberlin Realty, LLC and Grant Wortman**:

- a. **Title 59 O.S. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Holmes as she advertised using an unregistered team / trade name without a broker reference.

Violation(s) by Respondent **Jamey Holmes**:

- a. **59 Okla. Stat. § 858-312(9), and Okla. Admin. Code §§ 605:10-9-4(b)(3) and 605:10-9-3.2** as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by advertising using an unregistered team name/trade name with no broker reference.

**Proposed Consent Order:**

1. **Respondent Chamberlain Realty, LLC** is dismissed from this complaint.
2. **Respondent Grant Wortman (MB)** hereby consents to: (1) **Letter of Caution**; and (2) **an Administrative Fine** in the amount of **Two Hundred and Fifty Dollars (\$250)**.



3. **Respondent Jamey Holmes (SA)** hereby consents to an **Administrative Fine** in the amount of **Three Hundred Dollars (\$300)**.
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**C- 2022-145: Found It, LLC, Patricia Shepherd (MB), and James Williams (SA)**

Violation(s) by Respondents **Found it, LLC and Patrice Shepherd:**

- a. **Title 59 O.S. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Williams as he advertised using an incorrect and outdated broker reference.

Violation(s) by Respondent **James Williams:**

- a. **59 Okla. Stat. §§ 858-312(8)-(9), and Okla. Admin. Code §§ 605:10-9-4**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by advertising using an improper and outdated broker reference.

**Proposed Consent Order:**

1. **Respondent Found It, LLC** is dismissed from this complaint.
  2. **Respondent Patricia Shepherd (MB)** hereby consents to: (1) a **Letter of Caution**; and (2) an **Administrative Fine** in the amount of **One Hundred and Fifty Dollars (\$150)**.
  3. **Respondent James Williams (SA)** hereby consents to a **Two Hundred and Fifty Dollar (\$250) Administrative Fine**.
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**C- 2022-133: Mulinix Inc., Peggy Wright (MB), and Jerica Pound (SA)**

Violation(s) by Respondents **Mulinix Inc. and Peggy Wright:**

- a. **Title 59 O.S. §§ 858-312(8)-(9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents failed to properly supervise the activities of Respondent Pound as she advertised using an unregistered team / trade name.

Violation(s) by Respondent **Jerica Pound:**

- a. **59 Okla. Stat. § 858-312(9), and Okla. Admin. Code §§ 605:10-9-4(b)(3)**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by advertising using an unregistered team name/trade name.

**Consent Order:**

1. **Respondent Mulinix Inc.** is dismissed from this complaint.
2. **Respondent Peggy Wright (MB)** hereby consents to a **Letter of Caution**.
3. **Respondent Jerica Pound (SA)** hereby consents to an **Administrative Fine** in the amount of **Two Hundred and Fifty Dollars Hundred Dollars (\$250)**.

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**C- 2022-164: FSM Investment Group, LLC, Jason Kilbreath (MB), and Misty Beasley (SA)**

**Violation(s) by Respondents FSM Investment Group, LLC and Jason Kilbreath:**

- a. **Title 59 O.S. §§ 858-312(8)-(9) and Okla. Admin. Code §§ 605:10-17-4(6), 605:10-9-3.2** as Respondents failed to properly supervise the activities of Respondent Beasley as she advertised using an unregistered team / trade name, which could be construed as a firm name.

**Violation(s) by Respondent Misty Beasley:**

- a. **Title 59 Okla. Stat. §§ 858-312(9), 858-301, 858-401 and Okla. Admin. Code §§ 605:10-9-3.2**, as Respondent violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by advertising using an unregistered team name/trade name in an MLS advertisement.

**Consent Order:**

1. **Respondent FSM Investment Group, LLC** is dismissed from this complaint.
2. **Respondent Jason Kilbreath (MB)** hereby consents to: (1) a **Letter of Caution**, and (2) an **Administrative Fine** in the amount of **Two Hundred and Fifty Dollars (\$250)**.
3. **Respondent Misty Beasley (SA)** hereby consents to an **Administrative Fine** in the amount of **Three Hundred and Fifty Dollars (\$350)**.

*Pursuant to 25 O.S. §307(B) (8), an Executive Session is available to discuss the terms of the ConsentOrder 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*

## END OF FORMAL ACTIONS

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### CASE EXAMINER REPORTS

#### C-2022-153: Chong (Alex) Phu (MB), GoldTree Realty, Andrea Sheung (SA)

##### Possible violation(s) by Respondent **Chong (Alex) Phu**:

- a. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest by failing to disclose themselves as purchaser. 59 O.S. § 858-312(8) and *Okla. Admin. Code* 605:10-17-4(2).
- b. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate Commission License Code or Rules promulgated by the Commission by conduct in a real estate transaction which demonstrates bad faith or incompetency. 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(12).
- c. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate Commission License Code or Rules promulgated by the Commission by failing to disclose relationship to a party in the transaction. 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605: 10-17-4(20).
- d. Disregarded or violated a provision of the Oklahoma Real Estate Commission License Code or Rules promulgated by the Commission by failing to disclose in writing all purchase and/or lease contracts (requiring the licensee's license number) pertaining to the transaction and in all advertisements that he or she is licensed when purchasing real estate and such is being handled either by the licensee or marketed through a real estate firm. 59 O.S. § 858-312(9) and *Okla. Admin. Code* 605:10-9-4(d).
- e. Offered, loaned, or paid financial requirements for a purchaser or seller. 59 O.S. § 858-312(22).

##### Possible violation(s) by Respondent **Goldtree Realty**:

a. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest by failing to disclose themselves as purchaser. 59 O.S. § 858-312(8) and *Okla. Admin. Code* 605:10-17-4(2).

b. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate Commission License Code or Rules promulgated by the Commission by conduct in a real estate transaction which demonstrates bad faith or incompetency. 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(12).

c. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate Commission License Code or Rules promulgated by the Commission by failing to disclose relationship to a party in the transaction. 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605: 10-17-4(20).

d. Offered, loaned, or paid financial requirements for a purchaser or seller. 59 O.S. § 858-312(22).

Possible violation(s) by Respondent **Andrea Sheung**:

a. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate Commission License Code or Rules promulgated by the Commission by conduct in a real estate transaction which demonstrates bad faith or incompetency. 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605:10-17-4(12).

b. Engaged in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings and disregarded or violated a provision of the Oklahoma Real Estate Commission License Code or Rules promulgated by the Commission by failing to disclose relationship to a party in the transaction. 59 O.S. § 858-312(8)-(9) and *Okla. Admin. Code* 605: 10-17-4(20).

**Recommendation:**

The Case Examiner requests the Commission conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional licenses.

**C-2022-70: Michelle Freeman Properties and Michelle Freeman (BP)**

Possible violation(s) by Respondents **Michelle Freeman and Michelle Freeman Properties:**

- a. **Title 59, O.S. §§ 858-312(8 & 9) and Okla. Admin. Code § 605:10-17-4 (7)**, as Respondents may have failed to disclose in writing an ownership interest in property they are selling.
- b. **Title 59, O.S. §§ 858-312(8 & 9) and Okla. Admin. Code § 605:10-17-4(20)**, as Respondents may have failed to disclose any immediate known family relationship to a party to the transaction for which the broker is providing services.
- c. **Title 59, O.S. §§ 858-353 (8 & 9) and Okla. Admin. Code § 605:10-17-2(b)**, as Respondents may have failed to respond to a complaint within 15 days.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against the Respondents Michelle Freeman Properties and Michelle Freeman should be scheduled for a formal hearing.

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**C-2022-78: Orlando & Associates, LLC and Orlando Dumalag (MB)**

Possible violation(s) by Respondents **Orlando & Associates, LLC and Orlando Dumalag:**

- a. **Title 59, O.S. §§ 858-353**, as Respondents may have failed to perform mandatory duties and responsibilities in a transaction by failing to exercise reasonable skill in care.
- b. **Title 59, O.S. §§ 858-353 and Okla. Admin. Code § 605:10-17-4 (12)**, as Respondents may have engaged in conduct in a real estate transaction which constitutes bad faith or incompetency.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents Orlando and Associates, LLC and Orlando Dumalag be scheduled for a formal hearing.

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**C-2022-118: Chamberlin Realty, Inc., Grant Wortman (MB), Amanda Bossov (SA)**

Possible violation(s) by Respondents **Chamberlin Realty, Inc. and Grant Wortman:**

- a. **Title 59, O.S. §§ 858-312 (8) and Okla. Admin. Code § 605:10-17-4 (6)**, as Respondents may have conducted him in a manner which was improper, fraudulent or dishonest in that he may have failed to supervise the acts of his associates.

Possible violation(s) by Respondent **Amanda Bossow**:

- a. **Title 59, O.S. §§ 858-312 (8) and Okla. Admin. Code § 605:10-17-4 (20)**, as Respondent may have conducted herself in a manner which was improper, fraudulent, or dishonest by failing to disclose a known immediate family relationship to a party to the transaction.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents Chamberlin Realty, LLC, Grant Wortman, and Amanda Bossow should be scheduled for a formal hearing.

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**C-2022-141: Coldwell Banker Select, LLC, Bryan Sheppard (MB), Coldwell Banker Select, LLC (BO), Amy McReynolds (BB) and Jewell Jackson (SA)**

Possible violation(s) by Respondent **Jewell Jackson**:

- a. **Title 59, O.S. §§ 858-312 (6) and Okla. Admin. Code § 605:10-13-2(1)**, as 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, as she failed to turn over rental proceeds held for tenants and/or property owners to the proper escrow/trust account.
- b. **Title 59, O.S. §§ 858-312 (6) and Okla. Admin. Code § 605:10-13-2(3)**, as 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, as she was not authorized to open or maintain a trust or escrow account or be a signer on a trust or escrow wherein the associate licensee is providing licensed activities as define in the License Code and Rules, by opening an unauthorized and unregistered bank account in order to continue operating business outside of her brokers knowledge and guidance.
- c. **Title 59, O.S. §§ 858-312 (16)**, as Respondent may have commingled the licensee's own money or property with the money or property of others which was received and held by the licensee, as she engaged in a pattern of commingling trust monies held for tenants and/or property owners with monies maintained to pay personal expenses.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents Coldwell Banker Select, LLC, Bryan Sheppard, Coldwell Banker Select, LLC (BO), and Amy McReynolds should be dismissed and that the case against Respondent Jewell Jackson should be scheduled for a formal hearing.

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**C-2022-143: Shelley Koster Real Estate, Inc. Shelley Koster (MB) and Shelley Koster Real Estate, Inc. (BO)**

Possible violation(s) by Respondents **Shelley Koster Real Estate, Inc., Shelley Koster Real Estate, Inc. (BO) and Shelley Koster:**

- a. **Title 59, O.S. §§ 858-312 (8 & 9) and Okla. Admin. Code § 605:10-17-4 (6)**, as Respondents 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 the Commission by failing to properly supervise the activities of an associate, as they failed to supervise and/or manage the activities of 18 associates at a branch office without a branch broker from April 3, 2022 to July 2, 2022.
- b. **Title 59, O.S. §§ 858-312 (8 & 9) and Okla. Admin. Code § 605:10-7-7-4(e)**, as Respondents 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 the Commission by failing to reappoint a branch office broker, as they failed to appoint a new branch office broker and file the appropriate documents with the Commission within thirty (30) days of the occurrence of the event or vacancy.
- c. **Title 59, O.S. §§ 858-312 (9) and Okla. Admin. Code § 605:10-17-2(b)**, as Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing, upon demand in writing, to file an adequate written response to a complaint within fifteen (15) days of the notice.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents Shelley Koster Real Estate, Inc., Shelley Koster Real Estate Inc. (BO), and Shelley Koster should be scheduled for a formal hearing.

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**C-2022-161: Chuck Fawcett Realty, Inc. Charles Fawcett (MB) and Raymond Hubbs (SA)**

Possible violation(s) by Respondents **Chuck Fawcett Realty, Inc. and Charles Fawcett:**

- a. **Title 59, O.S. §§ 858-312(8 & 9) and Okla. Admin. Code § 605-17-4(6)**, as Respondents 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 the Commission by failing to properly supervise the activities of an associate, as they failed to ensure the advertising activities of Raymond Hubbs were in compliance.
- b. **Title 59, O.S. §§ 858-312 (9) and Okla. Admin. Code § 605:10-9-3.2**, as Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by allowing the use of Respondent Hubbs' unregistered team name, "Team Hubbs", activities.
- c. **Title 59, O.S. §§ 858-312 (9) and Okla. Admin. Code § 605:10-9-4(c)(3)**, as Respondents may have violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by advertising with no broker's reference, as he used an unregistered team name "Team Hubbs" on an MLS advertisement.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents Chuck Fawcett Realty, Inc., Charles Fawcett, and Raymond Hubbs should be scheduled for a formal hearing.

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**C-2022-198: Kim Taylor (SA), Shelley Koster (MB), and Shelley Koster Real Estate, Inc.**

Possible violation(s) by Respondents **Shelley Koster and Shelley Koster Real Estate Inc.:**

- a. **Title 59, O.S. §§ 858-312 (8 & 9) and Okla. Admin. Code § 605:10-17-4(6)**, as Respondents 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 the Commission by failing to properly supervise the activities of an associate, Respondent Taylor, and they were unaware that Respondent Taylor was performing licensable activities after the lapse of her license.

- b. **Title 59, O.S. §§ 858-312 (8 & 9) and Okla. Admin. Code § 605:10-17-4 (21)**, as Respondents may have engaged in conduct which constitutes untrustworthy, improper, fraudulent or dishonest dealings or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing to ensure all persons performing real estate licensed activities under the broker are properly licensed, as they failed to ensure that Respondent Taylor held an active real estate license prior to performing licensable real estate activities.
- c. **Title 59, O.S. §§ 858-312 (7), (14), and (21)**, as Respondents may have paid a commission or any other valuable consideration to a person for acts or services performed in violation of the Oklahoma Real Estate License Code, by paying commissions to Respondent Taylor after the lapse of her license.
- d. **Title 59, O.S. §§ 858-312 (9) and Okla. Admin. Code § 605:10-17-2 (b)**, as Respondents may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by failing upon demand in writing, to file an adequate written response to a complaint within fifteen (15) days of the notice.

Possible violation(s) by Respondent **Kim Taylor**:

- a. **Title 59, O.S. §§ 858-201, 858-301, and 858-401**, as Respondent may have engaged in licensable real estate activities while her license was lapsed and may have received a commission or other valuable consideration from those transactions.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents Shelley Koster Real Estate, Inc., Shelley Koster, and Kim Taylor should be scheduled for a formal hearing.

**C-2022-215: KMZ Properties, LLC, Saga Group, LLC, Gary Dunlap (BA), and Karen Cox (MB)**

Possible violation(s) by Respondent **Saga Properties, LLC:**

- a. **Title 59, O.S. §§ 858-312 (8) and Okla. Admin. Code § 605:10-7-8(a) (4)**, as Respondent may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by operating a corporation or association without having a corporate broker who holds a separate license as a real estate broker.
- b. **Title 59, O.S. §§ 858-312 (8) Okla. Admin. Code § 605:10-7-8(b)**, as Respondent may have disregarded or violated a provision of the Oklahoma Real Estate License Code or Rules promulgated by the Commission by acting as the managing broker responsible for all acts of the business entity, including the acts of all associates associated with the entity in conjunction with the corporation or association.

Possible violation(s) by Respondent **Gary Dunlap:**

- a. **Title 59, O.S. §§ 858-312 (8) and Okla. Admin. Code § 605: 10-9-4(22)**, as Respondent may have engaged in conduct which constitutes untrustworthy, improper, fraudulent or dishonest dealings and performing licensable activities outside his broker's supervision.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents KMZ Properties, LLC and Karen Cox should be dismissed and that the complaint against Respondents the Saga Group, LLC and Gary Dunlap should be scheduled for a formal hearing.

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**C-2022-1: Penny Emery (MB) and Emery Realty, LLC**

Possible violation(s) by Respondents **Penny Emery and Emery Realty, LLC:**

- a. **Title 59, O.S. §§ 858-312 (8) and Okla. Admin. Code § 605: 10-17-4(12)**, as Respondents may have participated in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by demonstrating bad faith or incompetency.

- b. ***Okla. Admin. Code 605:10-17-4(18)***, as Respondents may have interfered with an investigation by means of persuading, intimidating, or threatening any party or witness.
- c. ***Okla. Admin. Code 605:10-17-2(b)***, as Respondents may have failed to file an adequate written response within fifteen (15) days of notice of a complaint.

**Recommendation:**

The Case Examiner requests the Commission conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondent's professional license.

**C-2022-228: Amy Cherry (BA), Shelan Whitehead (MB) and Providence Realty, LLC**

Possible violation(s) by Respondent **Amy Cherry**:

- a. **Title 59, O.S. §§ 858-312 (8 & 9) and *Okla. Admin. Code § 605:10-17-4(12)***, as Respondent 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 the Commission by conduct in a real estate transaction which demonstrates bad faith or incompetency.
- b. **Title 59, O.S. §§ 858-312 (8 & 9) and *Okla. Admin. Code § 605:10-17-4 (20)***, as Respondent 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 the Commission by failing to disclose any known immediate family relationship to a party to the transaction for which the broker is providing brokerage service.

Possible violation(s) by Respondents **Shelan Whitehead and Providence Realty, LLC**:

- a. **Title 59, O.S. §§ 858-312 (8) and *Okla. Admin. Code § 605:10-17-4(6)***, as Respondents 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 the Commission by failing to properly supervise the activities of an associate.

### **Recommendation:**

The Case Examiner requests the Commission conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional licenses.

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#### **C-2022-190: Sarah Nail, LBWS Owasso Inc., Julie Smith-Pittman (MB), Donetta Gambill (BB)**

##### **Possible violation(s) by Respondent Sarah Nail:**

- a. **Title 59, O.S. §§ 858-312(8) and Okla. Admin. Code 605:10-17-4(12)**, as Respondent may have participated in conduct which constitutes untrustworthy, improper, fraudulent, or dishonest dealings by demonstrating bad faith or incompetency.
- b. **Title 59, O.S. §§ 858-312 (9) and Okla. Admin. Code 605:10-17-4(3)**, as Respondent may have disregarded or violated any provision of the Oklahoma Real Estate License Code or rules promulgated by the Commission by providing repeated misrepresentations, if not fraudulent, as a result of the failure by the licensee to inform himself or herself of pertinent facts concerning property, as to which he or she is performing services.

##### **Possible violation(s) by Respondents Julie Smith-Pittman, LBWS Owasso Inc., and Donetta Gambill:**

- a. **Title 59, O.S. §§ 858-312(8)-(9) and Okla. Admin. Code 605:10-17- 4(6) and (12)**, as Respondents may have participated 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 the Commission by failing to supervise the activities of their associates.
- b. **Title 59, O.S. §§ 858-312(8)-(9) and Okla. Admin. Code 605:10-17-5(2)**, as Respondents may have participated 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 the Commission by failing to disclose to a buyer or other cooperative licensee or firm a known material defect regarding the condition of a parcel of real estate of which a broker or associate has knowledge.

**Recommendation:**

The Case Examiner requests the Commission conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to the Respondents' professional licenses.

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**C-2022-285: Thomas Greenfield (SA):**

Possible violation(s) by Respondent **Thomas Greenfield:**

- a. **Title 59, O.S. §§ 858-312(15)**, as Respondent may have been unworthy to act as a real estate licensee, whether of the same or of a different character, or because he has been convicted of, or pleaded guilty or nolo contendere to a crime involving moral turpitude, as he plead guilty to Conspiracy, Fraud, and three (3) counts of Embezzlement on or about July 28, 2022, per Kay County, Oklahoma Case CF-2021-00467.
- b. **Title 59, O.S. §§ 858-312(19)**, as Respondent may have a conviction in a court of competent jurisdiction in this or any other state of the crime of forgery, embezzlement, obtaining money under false pretenses, extortion, conspiracy to defraud, fraud, or any similar offense or offenses, or pleading guilty or nolo contendere to any such offense or offenses, as he plead guilty to Conspiracy, Fraud, and three (3) counts of Embezzlement on or about July 28, 2022, per Kay County, Oklahoma Case CF-2021-00467.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondents LBWS Owasso, Inc. and Julie Smith-Pittman should be dismissed, and that Respondent Thomas Greenfield should be scheduled for a formal hearing.

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**C-2022-284: John Rains (Unlicensed)**

Possible violation(s) by Respondent **John Rains:**

- a. **Title 59, O.S. §§ 858-301**, as Respondent 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 the Commission by be unlawfully acting as a real estate licensee, or holding himself out as such, unless the person shall have been licensed to do so under the Oklahoma Real Estate License Code.

- b. **Title 59, O.S. §§ 858-401**, as Respondent 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 the Commission by willingly and knowingly managing properties of others without possessing a real estate license. After notice and hearing, and upon finding a violation of the Code, the Commission may impose a fine of not more than Five Thousand dollars (\$5,000) or the amount of the commission or commissions earned, whichever is greater for each violation of the Code for unlicensed activity.

**Recommendation:**

The Case Examiner is of the opinion that the Complaint against Respondent John Rains should be scheduled for a formal hearing.

**GENERAL BUSINESS**

- I. Discussion and possible vote for Commission Chair
- II. Discussion and possible vote for Commission Vice-Chair
- III. Legislative Discussion
  - a. Physical Office Requirement (59 O.S. § 858-310)
  - b. License Exceptions + License Requirements (59 O.S. § 858-301)
  - c. Powers and Duties (59 O.S. § 858-208)
    - i. Cease and Desist
    - ii. Unlicensed Activity Penalties
  - d. License Eligibility – Criminal Convictions (59 O.S. § 858-301.1)
  - e. Continuing Education – Real Estate Licensee Safety Course
- IV. Executive Director's Report
- V. October Interim Study – Abstract and Title Discussion

**FINANCIAL & FISCAL**

## **EDUCATION & LICENSING**

Report and update from the Education and Licensing Department, including Licensing Numbers

## **NEW BUSINESS**

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

## **UPCOMING MEETING DATES** (Subject to Change)

December 14<sup>th</sup>, 2022

## **ADJOURNMENT**

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