

**BEFORE THE IOWA REAL ESTATE COMMISSION
1920 S.E. HULSIZER
ANKENY, IOWA**

IN RE:)	
)	CASE NUMBER: 12-262
Mary T. Thompson)	
Broker (B42067))	
)	COMBINED STATEMENT OF
)	CHARGES, INFORMAL
)	SETTLEMENT AGREEMENT,
2635-36th Street)	AND CONSENT ORDER IN A
Des Moines, Iowa 50310)	DISCIPLINARY CASE
Respondent.)	

The Iowa Real Estate Commission (Commission) and **Mary T. Thompson** (Respondent) enter into this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order in a Disciplinary Case (Order) pursuant to Iowa Code Sections 17A.10(1) and 272C.3(4) (2011).

1. The Commission issued the Respondent real estate broker license number B42067 on January 2, 2002. Respondent's license is in full force and effect until December 31, 2014. At all times relevant to this matter, the Respondent was a licensed real estate broker sole proprietor located in Des Moines, Iowa.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2011). Licenses issued by the Commission are subject to the laws of the State of Iowa and to the administrative rules of the Commission.

STATEMENT OF CHARGES

COUNT I

3. The Respondent is charged with failing to comply with the mandatory errors and omissions insurance requirement in violation of Iowa Code sections 543B.29(1)(c), 543B.47(1), 543B.47(6) (2011) and 193E Iowa Administrative Code sections 18.2(5), 18.14(5)(s), 19.6(5) & (6).

CIRCUMSTANCES

4. In April of 2012, the Respondent was sent a random audit for her mandatory errors and omissions insurance.

5. The Respondent provided verification of coverage from January 1, 2012 through December 31, 2012 however, the coverage was not obtained until January 31, 2012.

SETTLEMENT AGREEMENT

6. Respondent without admission or wrongdoing or guilt agrees to resolve the allegation with an Informal Settlement Agreement.

7. Respondent acknowledges that she has a right to receive notice of the above-stated charges and to request a hearing before the Commission on the merits of the charges. By freely and voluntarily entering into this Order, the Respondent waives her right to notice and a hearing and all attendant rights, including the right to seek judicial review. This Order constitutes discipline against the Respondent, and is the final agency order in this contested case pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4.

8. Respondent agrees that the State's attorney and/or Commission staff may present this Order to the Commission and may have *ex parte* communications with the Commission while presenting it. Respondent waives any right of notice of this meeting or any right that the Respondent might have to participate in the discussion of this Order among the Commission, the Commission staff and the State's attorney.

9. This Order shall be part of the permanent record of Respondent and shall be considered by the Commission in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations of the laws and rules governing the practice of real estate by the Respondent.

10. Failure to comply with the terms of this Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(1)(c), 543B.34(2) and 272C.3(2)(a) (2011) and shall be grounds for further disciplinary action. However, no action may be taken against the Respondent for violations of this Order without a hearing, or waiver of hearing.

11. This Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members.

(a) In the event that this Order is rejected by the Commission it shall be of no force or effect to either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Commission approves this Order, it shall fully dispose of all issues in this case.

12. Upon acceptance by both the Commission and Respondent, this Combined Statement of Charges, Informal Settlement and Consent Order shall be a public record available for inspection and copying in its entirety in accordance with the requirements of Iowa Code chapter 22 (2011).

Mary T. Thompson

CONSENT ORDER

IT IS THEREFORE ORDERED:

13. CIVIL PENALTY. The Respondent shall pay a civil penalty to the Commission in the amount of \$1,000 no later than 180 calendar days after acceptance of this Order by the Commission. The civil penalty must come under a cover letter addressed to the Commission's Executive Officer and refer to case 12-262.

14. FUTURE COMPLIANCE. The Respondent shall at all future times fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

WHEREFORE, the terms of this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order are agreed to and accepted by the Iowa Real Estate Commission and the Respondent.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by **Mary T. Thompson** on this 4th day of January, 2013.

[Redacted Signature]

By: **Mary T. Thompson**, Respondent

State of Iowa)

County of Polk)

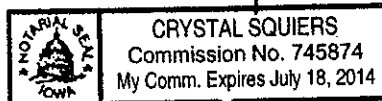
Signed and sworn to before me on this 4th day of January, 2013, by:

[Redacted Signature]

Notary Public, State of Iowa

Printed Name: Crystal Squiers

My Commission Expires: July 18, 2014



12-262

Mary T. Thompson

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FOR THE COMMISSION:

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this 7 day of Feb., 2013.



JUDITH STEVENS, Chair
Iowa Real Estate Commission



STATE OF IOWA

GOVERNOR
TERRY E. BRANSTAD
LT. GOVERNOR
KIM REYNOLDS

IOWA DEPARTMENT OF COMMERCE
PROFESSIONAL LICENSING & REGULATION

December 24, 2012

Mary Thompson
2625-36th Street
Des Moines, Iowa 50310

Re: Complaint No: 12-262

Dear Ms. Thompson;

At the regular meeting of the Iowa Real Estate Commission on December 13, 2012 the Commission reviewed above named compliant. After careful consideration of the violations alleged, the commission voted to file formal charges in the matter.

Please find the enclosed proposed Consent Agreement for your consideration. Review the documents carefully and consult with your attorney if there are any legal questions that you do not understand. This proposal is being offered to you as an alternative to a formal hearing conducted before the Commission. If you fully understand and agree with the contents and terms of the agreement, please sign and return the entire settlement to this office. The signed settlement will be presented to the Commission at its next meeting; and if it is accepted by majority vote, a signed copy will be returned to you.

Should you decide not to pursue an informal settlement; the Commission will not take that into consideration when making a final determination at the hearing. **Regardless of your decision, a response should be forwarded to this office within ten (10) working days.**

If you have any questions or find items that need further clarification, please do not hesitate to contact me or have your attorney contact our attorney, John Lundquist at 515/281-3658.

The signed settlement will become public information when accepted by the Commission.

Sincerely,

A handwritten signature in cursive script that reads "David Batts".

David Batts
Executive Officer
Education Director, Iowa Real Estate Commission
515/281-7397