

BEFORE THE IOWA REAL ESTATE COMMISSION  
200 EAST GRAND, SUITE 350  
DES MOINES, IA 50309

FILED February 6, 2014 (Date)

REC  
Board / Commission  
[Redacted]  
Signature, Executive Officer

IN RE:	)	
	)	CASE NUMBER: 13-204
Joleen Roskamp	)	
Salesperson (S60411000)	)	COMBINED STATEMENT OF
INACTIVE	)	CHARGES, INFORMAL
	)	SETTLEMENT AGREEMENT,
1500 Bay View Drive	)	AND CONSENT ORDER IN A
Sarasota, FL 34239	)	DISCIPLINARY CASE
	)	
Respondent.	)	

The Iowa Real Estate Commission (Commission) and Joleen Roskamp (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) (2013).

1. The Commission issued the Respondent a real estate salesperson license number S60411000 on March 25, 2010. Respondent's license is active and in full force and effect until December 31, 2015. At all times relevant to this matter, the Respondent was a licensed real estate salesperson assigned to CA&M Realty, Inc., a licensed real estate firm, license number F03181000 located in Des Moines, Iowa. The Respondent's license was placed on inactive status on August 8, 2013.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2013). 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 submitting, or causing to be submitted; whether intentional or otherwise, incorrect information on a renewal application. See Iowa Code sections 272C.10(1); 543B.15(5); 543B.29(1), and 543B.34(1) (2013); and 193E Iowa Administrative Code sections 16.2(4); 16.4(2); 16.5(4) and 18.14(5)(s).

**CIRCUMSTANCES**

4. On December 28, 2012, the Respondent submitted her on-line renewal application for an Iowa real estate salesperson license. On the renewal, the Respondent attested that she

had completed the required thirty-six (36) hours of continuing education as required by 193E Iowa Administrative Rule 16.4(2).

5. In May of 2013, the Respondent was chosen for a random audit by the Commission for compliance with the continuing education requirement for her 2012 license renewal.

6. Results of the continuing education audit revealed the Respondent failed to complete twelve (12) hours of electives during the three (3) year renewal period of 2010, 2011, and/or 2012.

7. Accurate and truthful attestation of one's continuing education history is essential to the Commission's determination of whether an applicant meets all requirements for renewing an Iowa real estate salesperson license. See Iowa Code § 543.15(5) (2013). The Respondent's failure to complete all required continuing education within the renewal period as attested on her Iowa real estate salesperson license renewal application constituted a false statement of material fact.

#### **SETTLEMENT AGREEMENT**

8. Respondent admits to each and every allegation in the above-stated Statement of Charges. This case shall constitute one violation for purposes of Iowa Code section 543B.29(4) (2013).

9. 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.

10. 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.

11. 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.

12. Failure to comply with the terms of this Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a) (2013) 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.

13. 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.

14. 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 (2013).

#### CONSENT ORDER

#### **IT IS THEREFORE ORDERED:**

15. CIVIL PENALTY. The Respondent shall pay to the Commission a civil penalty in the amount of five hundred dollars (\$500.00) as a condition precedent to:

- (a) The Respondent's reactivation of her inactive Iowa real estate salesperson license.
- (b) The Respondent's reinstatement of her Iowa real estate salesperson license in the event of its expiration.

The Commission shall not reactivate or reinstate the Respondent's real estate salesperson license before and until it has received payment in full of the required civil penalty from the Respondent. Payment of the civil penalty shall not excuse the Respondent from demonstrating compliance with all other applicable statutory and regulatory requirements or otherwise qualifying for reactivation or reinstatement of his real estate salesperson license.

16. 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 Joleen Roskamp on this 18<sup>th</sup> day of December, 2013.

[Redacted Signature]

By: JOLEEN ROSKAMP, Respondent

State of Florida )

County of Sarasota )

Signed and sworn to before me on this 18<sup>th</sup> day of December, 2013, by:

[Redacted Signature]

Notary Public, State of Florida

Printed Name: Isabel Lincourt

My Commission Expires: 4/24/2017



ISABEL LINCOURT  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF011697  
Expires 4/24/2017

**FOR THE COMMISSION:**

6<sup>th</sup> Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this day of February, 2014.

[Redacted Signature]

SUSAN J. SANDERS, Chair  
Iowa Real Estate Commission