

**BEFORE THE REAL ESTATE APPRAISER EXAMINING BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF:)	Case No. 06-70
)	
DOUGLAS T. BEIER)	
CG01443)	
)	
Respondent.)	CONSENT ORDER
)	

The Iowa Real Estate Appraiser Examining Board (Board) and Douglas T. Beier (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2005) and 193 Iowa Administrative Code 7.42:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2005).

2. Respondent was first issued his certification as a certified general real estate appraiser on March 20, 1992. His certificate is currently inactive. Respondent's inactive certificate is scheduled to expire on June 30, 2008, but will be surrendered in connection with this Consent Order.

3. The Board filed its Notice of Hearing and Statement of Charges on November 2, 2006. Hearing is currently set for December 12, 2006. Respondent was served by restricted certified mail, return receipt requested, on November 7, 2006.

4. The Board initially charged Respondent in Case No. 05-54 with repeatedly failing to adhere to appraisal standards in the development and communication of appraisals; failure to exercise reasonable diligence in the development, preparation, and communication of appraisals; and, negligence or incompetence in the development, preparation, and communication of appraisals, in violation of Iowa Code sections 543D.17(1)(d), (e), and (f), and 543D.18(1), and 193F Iowa Administrative Code sections 7.2(2), (5).

5. The Board and Respondent resolved Case No. 05-54 through Consent Order effective May 25, 2006. Respondent has wholly failed to comply with any term of the Consent Order. He has failed to take the required education, has failed to secure a desk reviewer, and has failed to submit any appraisal to desk review. Respondent admits he has failed to comply with the Consent Order in Case No. 05-54.

6. The Board has now charged Respondent with failure to comply with an order of the Board imposing discipline, in violation of Iowa Code section 272C.43(2)(a) (2005).

7. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to judicial review, by freely and voluntarily entering into this Order. This Order is the final agency order in the contested case. Rather than defend the charges Respondent wishes to permanently surrender his certification.

8. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.

9. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

10. This Order, the Statement of Charges, and the Statement of Matters Asserted are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2005).

11. Failure to comply with the provisions of this Order shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2005). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

12. This Order is subject to approval of the Board: (a) If the Board fails to approve this Order, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter; and (b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED: Respondent shall surrender his real estate appraiser certification number CG01443 and shall cease all activities as a certified real estate appraiser effective the day this Order is signed by all parties. Respondent shall return his certificate to the Board office within 10 days of the date this Order is signed by all parties. Respondent shall not seek to reinstate his certificate in the future.

AGREED AND ACCEPTED:

The Respondent



Douglas T. Beier

Date

The Iowa Real Estate Appraiser Examining Board



Michael Lara, Chair

12/12/06
Date