

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

IN THE MATTER OF:)	Case No. 07-23
)	
Stuart W. Gray)	
CR01499)	
)	Consent Order
Respondent.)	
)	

The Iowa Real Estate Appraiser Examining Board (Board) and Stuart Gray (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2007) and 193 Iowa Administrative Code 7.42:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2007).
2. Respondent was issued Iowa certified residential real estate appraiser certificate number CR01499 on July 6, 1992. The certificate is currently active and will next expire on June 30, 2008.
3. The Board filed its Notice of Hearing and Statement of Charges on July 11, 2007. Hearing is currently set for September 25, 2007.
4. The Board charged Respondent with failure to comply with an order imposing discipline in violation of Iowa Code section 272C.3(2)(a).
5. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights by freely and voluntarily entering into this Order. This Order is the final agency order in the contested case. Respondent has shared with the Board that he is currently unable to comply with the Board's order due, in part, to his changing employment status and, in part, to the very small number of appraisal assignments he currently expects to receive. He has requested that the Board place his certificate on inactive status, subject to reinstatement upon the terms set forth in this Consent Order.
6. 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.
7. 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.

8. 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 (2007).

9. Failure to comply with the provisions of this Order shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2007). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

10. 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:

A. Inactive Status. Respondent's certificate as a residential real estate appraiser shall be placed on inactive status on October 15, 2007. Respondent is cautioned that inactive certificates must be renewed or the certificate shall expire June 30, 2008. Persons holding inactive certificates are not authorized to practice as a certified appraiser until the Board approves reinstatement of the certificate. Respondent shall accordingly not be authorized to perform appraisal services as an Iowa certified real estate appraiser from and after October 15, 2007.

B. Reinstatement. Respondent may in the future seek to reinstate his certificate to active status by following the provisions of 193 Iowa Administrative Code 7.38. Respondent shall attach to his application to reinstate all fees required by Board rule and the following:

(1) Evidence of completion of the course on Sales Comparison Analysis the Board initially ordered Respondent to complete within 6 months of July 24, 2006.

(2) Evidence of completion of all required continuing education, which amount shall vary depending on the length of time Respondent keeps his certificate in inactive or lapsed status.

(3) A signed desk review agreement with a desk reviewer Respondent proposes to the Board to complete the desk review initially ordered by the Board on July 24, 2006.

(4) Such additional information or documents as the Respondent believes will provide the Board information from which the Board can determine Respondent's ability to comply with the Consent Order in a timely manner if reinstated.

If the Board grants the application to reinstate, Respondent shall serve the probationary period initially ordered on July 24, 2006. If Respondent is granted permission to reactivate his certificate he will not be required to demonstrate the qualifications for initial certification for those initially seeking certification on or after January 1, 2008.

AGREED AND ACCEPTED:

The Respondent



Stuart Gray

07/20/2007

Date

The Iowa Real Estate Appraiser Examining Board



Michael Lara, Chair

9/25/07

Date