

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

IN THE MATTER OF:

KENNETH W. KLOPPENBURG
RESPONDENT

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)
)

R.E. APPR. NO. 94-20

CONSENT AGREEMENT

COMES NOW the Iowa Real Estate Appraiser Examining Board (the Board) and Kenneth W. Kloppenburg (Respondent), and, pursuant to Iowa Code section 17A.10 and 272C.3(4) (1993), and 193F Iowa Administrative Code section 8.7, enter into the following Consent Agreement of the contested case currently on file:

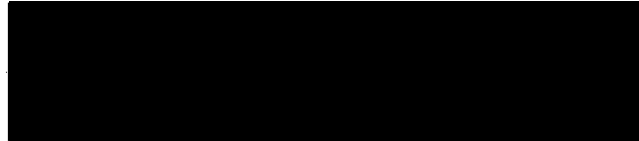
1. Respondent was officially licensed as a certified general real property appraiser in the state of Iowa on November 26, 1991 and holds license number [REDACTED]. Respondent's license is current until June 30, 1996.
2. The Board has jurisdiction of the parties and the subject matter.
3. Respondent shall obtain 30 hours of classroom continuing professional education within six (6) months from the date this agreement is executed by the Board. The education shall be fifteen hours of tested coursework in USPAP and fifteen hours in non-residential income (advanced course).
4. Respondent shall submit to the Board, a written education plan within thirty (30) days of receiving this agreement. The respondent shall submit to the Board documentation of classes completed within ten (10) days after completion of the classes.
5. Respondent shall submit to the Board, within 60 days of completion and documentation of the education, two non-residential appraisals for review.
6. Should Respondent violate the terms of this Consent Agreement in any respect, the Board may institute formal disciplinary proceedings. This agreement shall be made part of the permanent record of the Iowa Real Estate Appraiser Examining Board, and may be considered by the Board in determining the nature and severity of any future disciplinary action.
7. This Consent Agreement is subject to approval of the Board. If the Board fails to approve this Consent Agreement, it shall be of no force or effect to either party.

*Completed
education.
3-15-95*

8. This Consent Agreement is voluntarily submitted by the Respondent to the Board for its consideration.

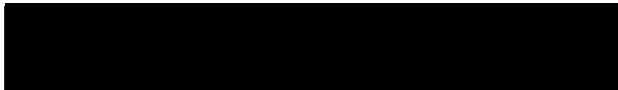
9. This Consent Agreement is public record available for inspection and copying in accordance with Chapter 22 of the Iowa Code.

12-9-94
DATE



Kenneth W. Kloppenburg, Respondent

This Consent Agreement is accepted by the Iowa Real Estate Appraiser Examining Board on this 19 day of Dec, 1994.



ARTHUR FRAHM
Chairperson
Iowa Real Estate Appraiser Examining Board

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD

IN THE MATTER OF:)	
)	CASE NO. 94-20
KENNETH W. KLOPPENBURG)	
CERTIFICATE NUMBER [REDACTED])	SETTLEMENT AGREEMENT AND
)	CONSENT ORDER
RESPONDENT)	

The Iowa Real Estate Appraiser Examining Board (Board) and Kenneth W. Kloppenburg (Respondent) enter into this Settlement Agreement and Consent Order (Agreement), pursuant to Iowa Code sections 17A.10 and 272C.3(4) (1995) and 193F IAC 8.6:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C, and 543D (1995).
2. Respondent is a certified general real estate appraiser.
3. A Notice of Hearing and Statement of Charges was filed against the Respondent on August 23, 1996.
4. 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 Agreement.
5. Respondent agrees the State's counsel may present this Agreement to the Board and may have ex parte communications with the Board while presenting it.
6. This Agreement 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.

7. This Agreement and the Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 and section 272C.3(4).

8. Failure to comply with the provisions of this Agreement shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1995). However, no action may be taken against Respondent for violations of these provisions without a hearing or waiver of right to hearing.

9. This Agreement is subject to approval of the Board:

(a) If the Board fails to approve this Agreement, 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.

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

IT IS THEREFORE ORDERED:

A. Respondent shall successfully complete a minimum of forty-five (45) tested educational hours that include instruction on the cost approach, the sales comparison approach, and report writing (all primarily focused on non-residential real property), ^{and/or a college level English composition course} within one year of the date this Consent Order is accepted by the Board. These educational hours may be counted toward continuing education requirements for certification renewal.

B. Respondent shall, within sixty days from the date this Order is accepted by the Board, provide an educational plan to the Board for course approval. As each course is successfully completed, Respondent shall provide verification to the Board.

C. Respondent shall develop a desk review consultation agreement with an Iowa certified general real property appraiser in good standing and pre-approved by the Board. Respondent has suggested Jack Felderman, who is acceptable to the Board. The agreement shall specify that desk report review shall be performed by the consultant prior to the release of each non-residential appraisal prepared by the Respondent on or after the date of this Agreement. An executed copy of the agreement shall be submitted to the Board within twenty (20) days of the date this Consent Order is accepted by the Board.

D. The reviewer's comments shall be incorporated into each appraisal prior to the release of the appraisal. A copy of the reviewer's comments shall be submitted directly to the Board from the reviewer. The comments do not need to be received by the Board prior to the release of the appraisal.

E. Consistent with USPAP, any appraisal subject to desk review shall disclose any significant professional input by the desk reviewer.

F. The desk review process shall not be required on residential real property appraisals. The Respondent may petition the Board to cease the desk review process after one year as long as he has successfully completed the educational plan described above and has had at least two non-residential appraisals reviewed. The Board will halt the desk review requirement if the desk review comments fail to reveal serious deviations from the Uniform Standards of Professional Appraisal Practice in the Respondent's appraisals. If the Board finds

serious deviations from USPAP in the desk review comments or appraisals, the consultation agreement shall continue for six months and again be reviewed.

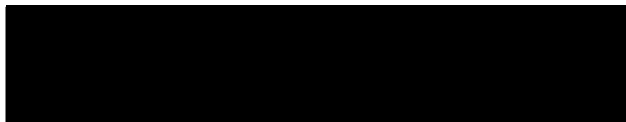
G. The Respondent shall submit a log of all appraisal reports completed in the first 6 months after pre-release review ceases. The log shall be submitted seven months after the pre-release review ceases and the Board may select one or more appraisals for review.

H. Respondent shall in the future adhere to all statutes and administrative rules in the practice of real property appraising.

AGREED AND ACCEPTED:

The Respondent

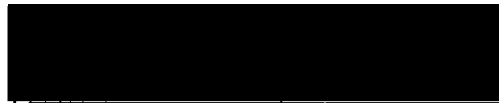
**The Iowa Real Estate Appraiser
Examining Board**



Kenneth W. Kloppenburg

10-1-96

Date



By: David Hicks

Oct. 11, 1996

Date