## BEFORE THE IOWA REAL ESTATE APPRAISER EXAM

IN THE MATTER OF:	)	Signature, Executive Officer  CASE NO. 10-36
PATRICK J. MURPHY CR01505	)	CASE NO. 10-30  CONSENT ORDER AND
Respondent.	) )	VOLUNTARY SURRENDER OF CERTIFICATE
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Department of Commercs

The Iowa Real Estate Appraiser Examining Board (Board) and Patrick J. Murphy (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2009) and 193 Iowa Administrative Code 7.4:

- 1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2009).
- 2. Respondent was issued Iowa certificate number CR01505 on July 13, 1992. The certificate is active and will next expire on June 30, 2011.
- 3. Respondent was convicted of one count of structuring, a felony, on July 15, 2010, in the United States District Court, Southern District of Iowa, Case No. 4:08-cr-00084.
- 4. The Board charges Respondent with conviction of a felony in violation of Iowa Code sections 272C.10(5) and 543D.17(1)(c), and 193F IAC 7.3(11).
- 5. Respondent has not practiced real estate appraising for a number of years. Rather than defend the charges, Respondent wishes to resolve the dispute by voluntarily surrendering his certificate, pursuant to 193F IAC 8.16.
- 6. Respondent acknowledges he has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including judicial review, by freely and voluntarily entering into this Order. This Order is the final agency order in the contested case.
- 7. 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.
- 8. 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.

- 9. This Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2009).
- 10. Failure to comply with the provisions of this Order shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2009). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing. Practicing as a certified appraiser following the surrender of the certificate is also an unlawful practice that may subject a person to civil penalties as provided in Iowa Code section 543D.21.
- 11. 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. Respondent shall surrender his Iowa real estate appraiser certificate and shall immediately cease all activities as a certified real estate appraiser in the State of Iowa effective the day this Order is signed by all parties.
- B. Respondent shall return his certificate to the Board office within 10 days of the date this Order is signed by all parties.
- C. In addition to the reinstatement terms set forth in 193 IAC 7.38 and 193F IAC 8.17, Respondent shall not seek to reinstate his Iowa certificate until he can demonstrate successful completion of certification requirements under the January 1, 2008 AQB standards.

## AGREED AND ACCEPTED:

The Respondent	The Iowa Real Estate Appraiser Examining
	Board
Patrick J. Murphy	Michael Lara Chair
10/26/2018	Dov. 2, 2010
Date	Date 1