

FILED 10/27/11 (Date)
IA RE Appr Exam Board
Commission

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD

Signature, Executive Officer

IN THE MATTER OF:)	
)	CASE NO. 11-35
STEVEN C. SHAYKETT)	
CG01446)	CONSENT ORDER
)	
Respondent.)	
)	

The Iowa Real Estate Appraiser Examining Board (Board) and Steven Shaykett (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2011) and 193 Iowa Administrative Code 7.42:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2011).
2. Respondent was issued Iowa certificate number CG01446 on March 24, 1992. The certificate is active and will next expire on June 30, 2013.
3. Respondent renewed his certificate in June 2011. He failed to disclose that he had been disciplined by the South Dakota Dept. of Revenue and Regulation, Appraiser Certification Program on February 25, 2010.
4. Respondent was two hours short on the required continuing education because he claimed courses that had not been approved by the Board. Upon notification, he did satisfy the continuing education requirement consistent with the standards promulgated by the Appraiser Qualification Board and this Board, but he falsely reported full compliance when applying to renew.
5. The Board charges Respondent with:
 - a. Failure to disclose disciplinary action within 30 calendar days of the action in violation of 193F Iowa Admin. Code 7.3(9)(a).
 - b. Misrepresentation and concealment of material facts on an application in violation of 193F Iowa Admin. Code 7.3(1)(a) and (c).
 - c. Renewing his certificate when not qualified to do so in violation of 193F Iowa Admin. Code 7.3(5)(a).
6. This is a first offense for Respondent. He did take all of the courses he claimed to have taken. The courses, however, were not pre-approved by the Board as eligible for continuing education credit. Respondent immediately substituted approved courses when the Board's concerns were raised in the audit. Respondent has complied with the South Dakota

disciplinary order. Rather than proceed to hearing on a disputed matter, the parties agree to this Consent Order.

7. 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.

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 is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2011).

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) (2021). 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:

A. Civil Penalty. Respondent shall pay a civil penalty of \$1,000.00 within thirty (30) days of the date this Order is signed by all parties. \$750.00 of the penalty is for failing to disclose disciplinary action. \$250.00 of the penalty is for renewing without sufficient continuing education, while representing full compliance with the continuing education requirement.

B. Education. By January 15, 2012, Respondent shall submit to the Board office a certificate of successfully completing a 15-hour tested USPAP course which is AQB approved. The course may be taken online. The course shall not be used toward future renewals.

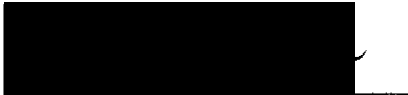
C. Manual 2013 Renewal. Respondent shall not renew electronically in 2013. He shall manually renew and shall attach all certificates of completion for all continuing education courses.

Case No. 11-35

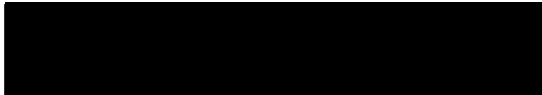
AGREED AND ACCEPTED:

The Respondent

Iowa Real Estate Appraiser Examining Board



Steven C. Shaykett



Judy Zwanziger, Chair

10/24/11
Date

10/27/2011
Date