

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

IN THE MATTER OF:)	
DONALD J. PROCHASKA)	R.E. APPR. NO. 97-03
LICENSE NO. [REDACTED])	
RESPONDENT)	CONSENT AGREEMENT

The Iowa Real Estate Appraiser Examining Board (Board) and Donald J. Prochaska (Respondent) enter into the following Consent Agreement pursuant to Iowa Code section 17A.10 and 272C.3(4) (1997), chapter 543D (1997) and Iowa Administrative Code 193F section 8.7:

1. Respondent is a certified general real estate appraiser. Respondent's certification is current until June 30, 1999.
2. The Board has jurisdiction of the parties and the subject matter pursuant to Iowa Code chapters 17A, 272C, and 543D.
3. The Board, after investigating a disciplinary complaint, has determined that this is a first offense involving the Respondent's compliance with the Uniform Standards of Professional Appraisal Practice and that a Consent Agreement pursuant to 193F - IAC 8.7 is an appropriate means of resolving the complaint.
4. By freely and voluntarily agreeing to this Consent Agreement, Respondent waives all right to a hearing and all attendant rights, including the right to appeal. Once entered, this Agreement shall have the force and effect of a disciplinary order entered following contested case hearing.
5. 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.
6. This Consent Agreement is public record, available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (1997).

7. Failure to comply with the provisions of this agreement shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1997) and 193F - IAC 8.7. However, no action may be taken against Respondent for violations of these provisions without an opportunity for a hearing or waiver of hearing.

8. 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:

9. The Respondent shall complete the following educational courses, all of which may be counted toward the continuing education requirement for certification of renewal:

(a) Fifteen (15) tested hours of Reportwriting.

(b) A minimum of thirty (30) tested hours covering the income approach, sales comparison approach and the cost approach.

(c) Fifteen (15) tested hours of USPAP. If a USPAP course has been completed within the past twelve (12) months the Respondent may submit a course outline along with the name of the instructor and a completion certificate. The Board will then waive the USPAP requirement if the course has been completed within the past twelve months.

10. The Respondent shall, within sixty days from the date this Consent Agreement is signed, submit an educational plan to the Board for course approval.

11. The course work shall be completed by August 30, 1998. Documentation of education shall be submitted within ten days of completion.


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12. The Respondent shall submit a log of all appraisal reports completed in the first six months following successful completion of the educational plan described above. The log shall be submitted seven months after the education is completed, and the Board may select one or more nonresidential appraisals for review.

11-7-97

Date


Donald J. Prochaska, Respondent

This Consent Agreement is accepted by the Iowa Real Estate Appraiser Examining Board on this _____ day of _____.

12/12/99

Date


David Hicks, Chair
Iowa Real Estate Appraiser Examining Board