

**STATE OF IOWA
BEFORE THE IOWA REAL ESTATE COMMISSION**

IN THE MATTER OF:)	
)	Complaint No. 10-016
)	
Thomas W. Butler)	CONSENT AGREEMENT
)	
APPLICANT)	
)	

The Iowa Real Estate Commission (Commission) and Thomas W. Butler (Applicant) enter into this Consent Agreement (Agreement) pursuant to Iowa Code Sections 17A.10, 272C.3(4), and 543B.19 (2009).

1. The parties acknowledge the following:

- (A) On or about December 31, 2009, the Applicant submitted a renewal Application to the Commission for an Iowa real estate salesperson license. On the Application form, the Applicant answered question Step 1(b) by stating that he had a professional license revoked or subject to disciplinary action by a state board or similar licensing body.

- (C) An investigation revealed that the Respondent's Mortgage Broker registration number 13776 with the Iowa Division of Banking was revoked effective January 26, 2009.

- (D) The Applicant does not contest that his mortgage registration number 13776 was revoked.

- (E) An applicant for a real estate salesperson license who has had a professional license of any kind revoked or suspended may be denied a license by the Commission solely on the grounds of the revocation. See Iowa Code § 543B.15(4)(2009).

2. In recognition of the revocation submitted to the Commission as detailed above in subparagraphs 1-A, the Applicant voluntarily agrees that as a condition for the renewal of his Iowa real estate salesperson license, the Applicant shall:

- (A) Within 180 days of the Commission's approval of this Agreement submit certification of attendance for the eight (8) hour Contract Law and Contract Writing and the twelve (12) hour Developing Professionalism and Ethical Practices courses. The continuing education shall be in addition to any continuing education requirements necessary for his current license renewal, and may not be used for future renewal purposes, and
- (B) The Applicant's real estate salesperson license shall be on probation for a period of one year commencing on the date this Agreement is approved by the Commission.

3. Upon the Applicant's timely submission of the course certificates and providing he has demonstrated that all other licensing requirements have been met, a renewal salesperson license shall be issued.

4. By entering into this Agreement, the Applicant acknowledges and voluntarily waives his right to adjudicate the merits of his pending Application for a renewal real estate salesperson license through the commencement of a contested case proceeding before the Commission, and all rights attendant to a contested case proceeding including the right to seek judicial review of the Commission's actions.

5. This Agreement shall be made a part of the record of the Applicant and may be considered by the Commission in determining the nature and severity of any disciplinary action to be imposed on the Respondent for any future violations of the laws and rules governing the practice of real estate.

6. This Agreement shall be presented to the Commission in closed session by the prosecuting attorney and/or Commission staff. The Applicant waives any right of notice of this meeting or any right which the Applicant might have to participate in the discussion of this Agreement among the Commission, the Commission staff and the prosecuting attorney.


7. The Applicant voluntarily submits this Agreement to the Commission for its consideration. This Agreement is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members. If the Commission fails to approve this Agreement, it shall be of no force or effect on either party.

8. This Agreement shall be public record. The Applicant further agrees to fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

WHEREFORE, the terms of this Consent Agreement are agreed to and accepted by the Iowa Real Estate Commission and the Applicant.



Applicant



Laurie Dawley, Chairperson
Iowa Real Estate Commission

3-9-10

Date

March 25, 2010

Date