

**BEFORE THE IOWA REAL ESTATE COMMISSION
1920 SE HULSIZER
ANKENY, IOWA**

IN THE MATTER OF:)	Case No. 10-057
)	
Laurie Culp)	
Salesperson (S41505))	
)	COMBINED STATEMENT OF
Signature Resources, Inc.)	CHARGES, INFORMAL
306 S. 16 th Street)	SETTLEMENT AGREEMENT
Ames, Iowa 50010)	AND CONSENT ORDER IN A
)	DISCIPLINARY CASE
Respondent)	

The Iowa Real Estate Commission (Commission) and **Laurie Culp** (Respondent) enter into this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order in a Disciplinary Case (Order) pursuant to Iowa Code Sections 17A.10(1) and 272C.3(4) (2009).

1. The Commission issued the Respondent real estate salesperson license number (S41505) on May 14, 2001. Respondent's license is current and in full force and effect through December 31, 2012. At all times relevant to this matter, the Respondent was a licensed real estate salesperson, assigned to Signature Resources, Inc. a licensed real estate firm, license number (F05009) located in Ames, Iowa.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2009). Licenses issued by the Commission are subject to the laws of the State of Iowa and to the administrative rules of the Commission.

Statement of Charges

Count I

3. Respondent is charged with engaging in practices harmful or detrimental to the public, and failing to diligently exercise reasonable skill and care in providing brokerage services to all parties in violation of Iowa Code section 543B.29(1)(c), 543B.34(1), 543B.56(1)(a) & (b) by altering a listing agreement without the express written consent of the Seller. See 193E Iowa Admin Code section 18.14(5)(s).

Circumstances

4. Respondent represented the Sellers in a transaction for a property located in Cambridge, Iowa.

5. The Respondent initiated a Listing Agreement for the property in December of 2008.

6. The Respondent, at the time the Listing Agreement was initiated, had the Seller sign a blank Listing Status Change Correction Form.

7. The Respondent, on several occasions, made price changes to the Listing Status Change Correction Form. In each case, she failed to obtain written authorization from the Seller to make said price change.

Settlement Agreement

8. Respondent admits to the allegations in the above-stated Statement of Charges.

9. Respondent acknowledges that she has a right to receive notice of the above-stated charges and to request a hearing before the Commission on the merits of the charges. By freely and voluntarily entering into this Order, the Respondent waives her right to notice and a hearing and all attended rights, including the right to seek judicial review. The Order constitutes discipline against the Respondent, and is the final agency order in this contested case pursuant to Iowa Code section 17A.10 and 193 Iowa Admin Code 7.4.

10. Respondent agrees that the State's attorney and/or Commission staff may present this Order to the Commission and may have *ex parte* communications with the Commission while presenting it. Respondent waives any right of notice of this meeting or any right that the Respondent may have to participate in the discussion of this Order among the Commission, the Commission staff and the State's attorney.

11. This Order shall be part of the permanent record of the Respondent and shall be considered by the Commission in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations of the laws and rules governing the practice of real estate by the Respondent.

12. Failure to comply with the terms of this Order shall be prime facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a)(2009) and shall be grounds for further disciplinary action. However, no action may be taken against the respondent for violations of this Order without a

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hearing, or waiver of hearing.

13. This Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members.

(a) In the event that this Order is rejected by the Commission it shall be of no force or effect to either party, and it shall not be admissible for any purpose in further proceedings in this matter.

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

14. Upon acceptance by both the Commission and the Respondent, this Combined Statement of Charges, Informal Settlement and Consent Order shall be made a public record available for inspection and copying in its entirety in accordance of Iowa Code chapter 212 (2009).

Consent Order

15. CIVIL PENALTY. The Respondent shall pay a civil penalty to the Commission in the amount of \$1,000 no later than 30 calendar days after acceptance of this Order by the Commission. The civil penalty must come under a cover letter addressed to the Commission's Executive Officer and refer to case 10-057.

16. EDUCATION. The Respondent shall attend the eight (8) hour Commission approved course "Contract Law and Contract Writing " These hours shall be in addition to any real estate continuing education required by law for license renewal. The original certificate of attendance must be submitted to the Iowa Real Estate Commission within twelve (12) months of the signing of this agreement by the Commission and must come under a cover letter addressed to the Commission's Executive Officer and refer to case 10-057.

17. FUTURE COMPLIANCE. Respondent agrees that at all future times she shall 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 Combined Statement of Charges, Informal Settlement Agreement, and Consent Order are agreed to and accepted by the Iowa Real Estate Commission and the Respondent.

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FOR THE RESPONDENT:

Voluntarily agreed to and accepted by **Laurie Culp** on this 6 day of August, 2010.

By: **LAURIE CULP**, Respondent

State of Iowa

County of Polk

Signed and sworn to before me on this 6 day of August, 2010, by



Notary Public, State of Iowa

Printed Name: Gadder Austin

My Commission Expires: Sept 23, 2012

FOR THE COMMISSION:

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE**

COMMISSION on this 11 day of August, 2010.

LAURIE DAWLEY, Chair
Iowa Real Estate Commission