

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

---

<b>IN THE MATTER OF:</b>	)	<b>Case No. 10-148</b>
	)	
<b>Sara J. Vancura</b>	)	
<b>Salesperson (S55813)</b>	)	
	)	
<b>Skogman Realty</b>	)	<b>COMBINED STATEMENT OF</b>
<b>411-1<sup>st</sup> Ave. SE, Ste. 500</b>	)	<b>CHARGES, INFORMAL</b>
<b>Cedar Rapids, IA. 52401-1318</b>	)	<b>SETTLEMENT AGREEMENT AND</b>
<b>Respondent.</b>	)	<b>CONSENT ORDER IN A</b>
	)	<b>DISCIPLINARY CASE</b>

---

The Iowa Real Estate Commission (Commission) and Sara J. Vancura (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 a real estate salesperson license number S55813 on January 18, 2005. Respondent's license is Active and in full force and effect until December 31, 2010. At all times relevant to this matter, the Respondent was a licensed salesperson assigned to Skogman Realty, a licensed firm, license number F01272, located in Cedar Rapids, 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, 543B.56 (2009) by:

(a) Allowing occupancy of a property by the buyers without a funded closing and without the express written consent of the sellers. See Iowa Code 543B.34(8) & (11), 543B.56(1)(a)(b); and 193E Iowa Admin. Code 18.14(5)(s).

---

## Circumstances

4. Respondent, acting as the buyer's representative, initiated a purchase agreement for the buyers. The closing for the transaction took place on February 15, 2010.

5. On February 13, 2010, and prior to closing, the Buyer's completed a final walk through of the property. The Respondent at that time turned over the keys for the property to the buyers allowing them unfettered access.

## **Settlement Agreement and Consent Order**

6. Respondent does not admit to the allegations, but agrees to resolve the charges with a Consent Order.

7. 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.

8. 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.

9. 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.

10. 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 hearing, or waiver of hearing.

11. 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.

12. 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**

13. Civil Penalty. The Respondent shall pay a civil penalty to the Commission in the amount of \$500 no later than thirty (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 10-148.

14. 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.

#### **FOR THE RESPONDENT:**

Voluntarily agreed to and accepted by **Sara J. Vancura** on this 8 day of July, 2010.

  
  
By: **Sara J. Vancura**, Respondent

In re: Sara J. Vancura  
Complaint Case No. 10-148

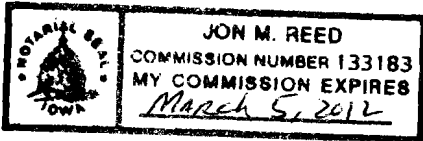
State of IOWA

County of LINN

Signed and sworn to before me on this 8 day of July, 2010, by



Notary Public, State of Iowa



Printed Name: JON M. REED

My Commission Expires: MARCH 5, 2012

**FOR THE COMMISSION:**

Voluntarily agreed to and accepted by the IOWA REAL ESTATE COMMISSION on this 21 day of July, 2010.



LAURIE DAWLEY  
LAURIE DAWLEY, Chair  
Iowa Real Estate Commission