

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

**IN RE:**

**Thomas C. Swanwick  
Broker (B21823)**

**RE/MAX RIVER CITIES REALTORS  
4555 UTICA RIDGE ROAD  
BETTENDORF, IOWA 52722**

**CASE NUMBER 05-056**

**STIPULATION  
AND  
ORDER**

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On this 2<sup>ND</sup> day of MARCH, 2006, the Iowa Real Estate Commission and **Thomas C. Swanwick**, each hereby agree with the other and stipulate as follows:

1. The allegations specified in the Statement of Charges in this case shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order.
2. The Respondent has a right to a hearing on the charges, but waives the right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.
3. The Respondent was issued a real estate brokers license on May 12, 1986, which is in full force and effect through December 31, 2007.
4. The Iowa Real Estate Commission has jurisdiction over the parties and subject matter jurisdiction over each allegation in the Statement of Charges.
5. A Statement of Charges will be filed against Respondent together with this voluntary Stipulation and Consent Order.
6. Respondent admits each and every allegation in the Statement of Charges.
7. If this Stipulation and Consent Order is approved by the Commission it will be filed, along with the Statement of Charges, and upon filing both documents will become public records.
8. This Stipulation and Consent Order shall be made a part of the record of the Respondent 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.

9. Failure to comply with the terms of this Stipulation and Consent Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a) (2005).

10. This Stipulation and Consent Order shall be presented to the Commission in closed session by the prosecuting attorney and/or Commission staff. Respondent waives any right of notice of this meeting or any right which the Respondent might have to participate in the discussion of this Stipulation and Consent Order among the Commission, the Commission staff and the prosecuting attorney.

11. This Stipulation and Consent Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members. In the event that this Stipulation and Consent Order is rejected by the Commission it shall be of no force or effect to either party.

**THEREFORE IT IS ORDERED** that the Respondent is **Reprimanded**.

**IT IS FURTHER ORDERED** that the Respondent shall pay a civil penalty in the amount of \$1000 within thirty (30) days of acceptance of this Stipulation and Consent Order by the Commission and come under a cover letter addressed to the Commission's Executive Officer and refer to case 05-056.

**IT IS FURTHER ORDERED AND AGREED** that at all future times Respondent shall fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

**FOR THE RESPONDENT:**

This Stipulation and Consent Order is voluntarily entered into by **Thomas C. Swanwick** on this 24 day of January, 2006.

[Redacted Signature]

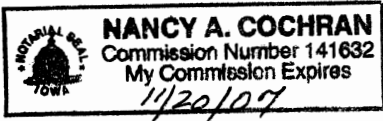
**Thomas C. Swanwick, Respondent**

State of Iowa )

County of Scott )

Signed and sworn to before me on this 24 day of January, 2006, by

[Redacted Signature]



Notary Public, State of Iowa

Printed Name: NANCY A. COCHRAN

My Commission Expires: 11/20/07

**FOR THE COMMISSION:**

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 2<sup>ND</sup> day of MARCH, 2006.

[Redacted Signature]

**James E. Hughes, Chair**  
Iowa Real Estate Commission

BEFORE THE IOWA REAL ESTATE COMMISSION  
1918 SE HULSIZER  
ANKENY, IOWA

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<b>IN RE:</b>	)	<b>CASE NUMBER: 05-056</b>
	)	
<b>Thomas C. Swanwick</b>	)	<b>STATEMENT</b>
<b>Broker (B21823)</b>	)	<b>OF</b>
	)	<b>CHARGES</b>
RE/MAX RIVER CITIES REALTORS	)	
4555 UTICA RIDGE ROAD	)	
BETTENDORF, IA 52722	)	

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The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B, and 272C (2005).

Licenses issued by the Commission are subject to the laws of the state of Iowa and to the administrative rules of the Commission.

**Thomas C. Swanwick** was at all material times, during the following events, a licensed Broker / Officer in charge of River Cities Realtors, a licensed real estate firm (F03091), in Bettendorf, Iowa. His license number B21823 in full force and effect through 12-31-2007.

COUNT I

The Respondent engaged in an unethical practice which is harmful or detrimental to the public, by allowing a salesperson employed by the respondent to practice real estate in the state of Iowa on an expired license violation of Iowa Code sections 543B.29(3), 543B.34(1) (2005), and 193E IAC 7.11, 7.11(2), 18.2(1), 18.2(8), and 18.14 (5)(m).

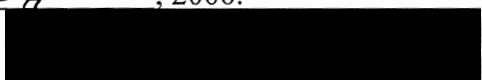
#### CIRCUMSTANCES OF THE COMPLAINT

1. At all material times during these events, the respondent was supervising Broker/Officer for Re/Max River Cities Realtors.
2. At all material times during these events, Tisha Marie Boussetot's license was assigned to Re/Max River Cities Realtors, with her license expiring December 31, 2004.
3. As a result of a lack of supervision on the part of the respondent in this matter; from the period of January 01, 2005 thru minimally February 13, 2005, while Tisha Marie Boussetot's license was assigned to Re/Max River Cities Realtors, Tisha Marie Boussetot practiced real estate in the state of Iowa while her license was expired.

#### FINDING OF PROBABLE CAUSE

On December 14, 2005, the Iowa Real Estate Commission found probable cause to file this Statement of Charges and to order that a hearing be set in this case.

Executed this 2<sup>nd</sup> day of MARCH, 2006.

  
Roger L. Hansen, Executive Officer  
Iowa Real Estate Commission