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

| IN RE: | |))) CASE NUMBER 05-035 |
|--------------------------------------|----------|--------------------------------|
| | |) CASE NUMBER 05-055 |
| JENNIFER L. HANSON | |) |
| Salesperson | (S42546) |) STIPULATION |
| • | , | AND |
| EQUISAVE FLAT FEE BROKER | | ORDER |
| 1975 NW 92 ND COURT STE B | |) |
| CLIVE, IA 50325 | | |
| | |) |

On this <u>///</u> day of <u>DEC EMBER</u>, 2005, the Iowa Real Estate Commission and **JENNIFER L. HANSON**, 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 salesperson license on May 1, 2002, 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's Salesperson License number S42546 is hereby SUSPENDED for a period of one (1) year, effective immediately upon acceptance of this stipulation by the Commission. IT IS FURTHER ORDERED that the one-year suspension is IMMEDIATELY STAYED.

IT IS FURTHER ORDERED that the pay to the Commission the sum of \$2,500 no later than 30 calendar days after acceptance of this settlement by the Commission. The civil penalty must come under a cover letter addressed to the Commission's Executive Officer and refer to case 05-035.

IT IS FURTHER ORDERED The Respondent shall personally attend the twelve (12) hour commission approved education course: "Developing Professionalism and Ethical Practices." 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 05-035.

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

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FOR THE RESPONDENT:

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

| IN RE: |) |
|--------------------------|--------------------|
| | CASE NUMBER 05-035 |
| JENNIFER L. HANSON |) |
| Salesperson (S42546) | STATEMENT |
| | OF |
| EQUISAVE FLAT FEE BROKER | CHARGES |
| 1975 NW 92ND COURT STE B |) |
| CLIVE, IA 50325 |) |
| |) |
| | |

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B, and 272C (2004).

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

JENNIFER L. HANSON was at all material times, during the following events, a licensed salesperson, assigned to Iowa Realty, Inc. a licensed real estate firm, license number F00710, in West Des Moines, Iowa. Her license, number S42546 was issued May 1, 2002 and is in full force and effect through 12-31-2007.

COUNT I

The Respondent, as buyer's agent, is charged with engaging in practices harmful or detrimental to the public, knowingly making misleading, deceptive, untrue, or fraudulent representations, and failing to diligently exercise reasonable care in providing brokerage services to all parties by completing and signing an employer's name to a "Request for Verification of Employment," in violation of Iowa Code sections 543B.29(3)(practice harmful or detrimental to the public and knowingly making misleading, deceptive, untrue, or fraudulent representations), 543B.34(1), 543B.56(1)(a) & (b), 543B.56(2)(a), (2004), and 193E IAC 12.4(1)(b) & (c), 18.14(5)(s).

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CIRCUMSTANCES OF THE COMPLAINT

- 1. On or about September 3, 2004, Respondent, acting as agent for the buyer, drafted an offer for \$93,125 with contingencies for the property located at 905 7th Avenue SE Unit 9, Altoona, Iowa. The offer was accepted on or about September 15, 2004.
- 2. The Buyer applied for financing. On or about January 19, 2005, the Respondent completed the employment and earnings information requested on the "Request for Verification of Employment," form regarding the buyer, and signed the employer's name, making it appear the employer had provided the information and had signed the form.
- 3. The form was subsequently provided to the lender and used to determine the buyer's loan qualifications and grant the loan.
- 3. On or about February 4, 2005, the transaction closed.

FINDING OF PROBABLE CAUSE

On September 8, 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 // day of DECEMBER, 2005.

Roger L. Hansen, Executive Officer Iowa Real Estate Commission