

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 personally attend the Commission approved eight (8) hour commission approved education course "Iowa Real Estate Trust Accounts." 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 A05-003.

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 **HENRY D. WYNJA** on this 11th day of August, 2005.



HENRY D. WYNJA, Respondent

State of Iowa)
County of Jasper)

Signed and sworn to before me on this 11th day of August, 2005, by




Notary Public, State of Iowa
Printed Name: Jan Sullivan
My Commission Expires: 1-21-08



FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 8th day of SEPTEMBER, 2005.



James E. Hughes, Chair
Iowa Real Estate Commission


CIRCUMSTANCES OF THE COMPLAINT

1. On or about March 22, 2005, Auditor Jeff Evans conducted an audit of the Respondent's trust account and records.
2. The audit found the following violations:
 - a. failure to conduct a written monthly reconciliation of the individual ledgers, general ledger, and bank records to assure balance; and
 - b. individual ledgers were \$368.25 more than the reconciled bank balance and the running balance of the journal.

FINDING OF PROBABLE CAUSE

On May 26, 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 8th day of SEPTEMBER, 2005.



Roger L. Hansen, Executive Officer
Iowa Real Estate Commission