

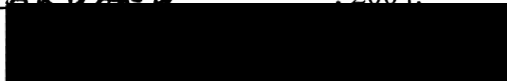
CIRCUMSTANCES OF THE COMPLAINT

1. The Respondent represented the Seller in the sale of split property located at Part of Sec 29 & 30, T-80-N, R-29-W, Dallas County, Iowa. The Buyers were not represented. The abstract was delivered to the abstractor for updating. The transaction closed July 1, 2002.
2. The required survey was not obtained and filed with the Dallas County Assessor before the July 1, 2002 cut-off date for a new assessment. Respondent calculated approximate tax proration for closing.
3. The actual taxes assessed resulted in the seller's over payment of approximately \$518.18. The Buyer disputed the payment and asked for clarification and explanation.
4. The updated abstract was mistakenly returned to the Respondent instead of the Buyer. The Buyer's loan company requested the abstract. The Respondent refused to release the abstract to the Buyer, the Buyer's attorney, or the loan company until such time as the Buyer reimbursed the Seller for taxes paid. Respondent indicated the Seller, her client, had directed the abstract be held pending reimbursement for tax payment.
5. The Buyers continued to dispute the tax payment and incurred additional legal expenses as a result of the Respondent's actions. On or about April 15, 2003, the Respondent delivered the abstract to the Buyer's attorney. The tax issue remained a civil matter between the Buyer and the Seller.

FINDING OF PROBABLE CAUSE

On July 17, 2003 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.

Dated this 26th day of FEBRUARY, 2004.


Roger L. Hansen, Executive Officer
Iowa Real Estate Commission

03-029

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) (2003).

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 twelve (12) hour broker prelicense 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, except these hours may be used to satisfy the four (4) hour mandatory ethics education requirement for renewal. The original certificate of attendance must be submitted to the Iowa Real Estate Commission within thirteen (13) months of the signing of this agreement by the Commission. The certificate of attendance must come under a cover letter addressed to the Commission's Executive Officer and must refer to case 03-029.

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.

03-029

FOR THE RESPONDENT:

This Stipulation and Consent Order is voluntarily entered into by **NANCY J. NEVINS** on this - 26th day of January, 2004.

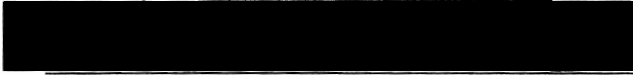


NANCY J. NEVINS, Respondent

State of Iowa)

County of Dallas)

Signed and sworn to before me on this 26th day of January, 2004, by



Notary Public, State of Iowa

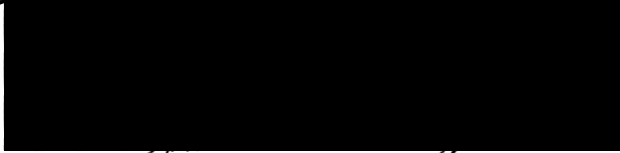
Printed Name: Zarabeth Annear

My Commission Expires: 3-19-05

3/19/05

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 26th day of FEBRUARY, 2004.



James E. Hughes, Chair
Iowa Real Estate Commission