

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

IN RE:)	
)	
GEORGE R. REMER)	CASE NUMBER: 02-108
Broker (B23571))	
)	STIPULATION
)	AND
)	ORDER
4926 230 TH STREET)	
Battle Creek IA 510069750)	
)	

On this 27th day of FEBRUARY, 2003, the Iowa Real Estate Commission and GEORGE R. REMER, 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 broker license on February 4, 1985, which is in full force and effect through December 31, 2005.
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 does not admit the allegations in the charges, but agrees to resolve the charges by entering into this Consent Order.
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.

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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) (2002).

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 real estate broker license number B23571 is SUSPENDED for a period of two years from the date the Commission accepts this stipulation

IT IS FURTHER ORDERED that the SUSPENSION is STAYED on the condition that the Respondent have no violation of Iowa Real Estate License Law or Administrative Rules

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:

This Stipulation and Consent Order is voluntarily entered into by **GEORGE R. REMER** on this 3rd day of Feb, 2003.



GEORGE R. REMER, Respondent

State of IA

County of IDA

Signed and sworn to before me on this 3rd day of Feb, 2003, by



Notary Public, State of Iowa
Name: Cyndi S. Rock-Raasch
Commission Expires: 7-2-2005

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 27th day of FEBRUARY, 2003.



James E. Hughes, Chair
Iowa Real Estate Commission

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

IN RE:)	
)	
)	CASE NUMBER: 02-108
GEORGE R. REMER)	
Broker (B23571))	STATEMENT
)	OF
)	CHARGES
4926 230 TH STREET)	
Battle Creek IA 510069750)	
)	

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapter's 17A, 543B, and 272C (2001).

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

GEORGE R. REMER was at all material times during the following events, a licensed Sole-proprietor real estate broker in Battle Creek, Iowa. His license, number B23571 is in full force and effect through December 31, 2005.

COUNT I

The Respondent is charged with engaging in practices harmful or detrimental to the public by acting as an undisclosed principal in a transaction and failing to represent the client's interests, in violation of Iowa Code sections 543B.29(3) (practice harmful or detrimental to the public), 543B.56(1)(a), 543B.56(2)(a), 543B.56(3)(b) (2001) and Iowa Administrative Code Chapter 193E sections 1.40(543B), and 1.45(1)(b).

CIRCUMSTANCES OF THE COMPLAINT

1. The allegations stem from Respondent's activities while acting as guardian and conservator for Bessie Jordan, Respondent's aunt. Jordan and her sister, Lucille Remer, Respondent's mother, operated the family farm as a partnership. Respondent began managing the farm in 1974. Respondent was appointed conservator of Jordan's estate from September 16, 1985 until her death October 9, 1992. In 1987, Lucille died leaving Jordan with 68.75% ownership of the farm and a life interest in another 10.42%.
2. In March 1987, Respondent formed Garden Farm Inc. in which Remer's wife was the sole share-holder. Without seeking court approval, Respondent, acting as farm manager, leased the farm to Garden Farm Inc.
3. In August 1988, Respondent obtained court approval for the sale of Jordan's fee simple interest in the farm to Garden Farm Inc. Respondent based the sale price, \$575 per acre on the highest of two appraisals. Bank statements from 1986 and 1987 showed the farm was worth \$700 per acre.
4. Jordan died October 9, 1992 and Respondent's wife was appointed administrator and Respondent as attorney for the estate. In May 1994, a new administrator was appointed and filed action to set aside the sale. The result was a lengthy court case that was ultimately decided by the Iowa Supreme Court, which determined that the farm sale was not in Jordan's best interest.
5. Respondent, as conservator, did not fully disclose to Jordan the Respondent's competing personal financial gain interests and fiduciary duties as conservator.
6. On June 12, 2002, the Iowa Supreme Court Board of Professional Ethics and Conduct suspended Respondent's license to practice law for a period of three years.

FINDING OF PROBABLE CAUSE

On February 27, 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 27th day of FEBRUARY, 2003.


Roger L. Hansen, Executive Secretary
Iowa Real Estate Commission