

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

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**IN RE:**

**WILLIAM P. SIGLIN  
Broker Associate (B00927)**

GODWIN REALTY INC (F03146)  
6900 UNIVERSITY  
DES MOINES, IA 503111541

**CASE NUMBER: 02-026**

**STATEMENT  
OF  
CHARGES**

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The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapter's 17A, 543B, and 272C (2001, 2003).

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

William P. Siglin was at all material times during the following events, a licensed broker associate with Godwin Realty Inc, a licensed real estate corporation license number F03146, in Des Moines, Iowa. His license, number B00927 issued June 29, 1976, is in full force and effect through December 31, 2003.

**COUNT I**

The Respondent is charged with engaging in a practice harmful or detrimental to the public by:

- a. failing to obtain a written extension to an expired listing and continuing to market the property, and
- b. charging for advertising costs and collecting from the seller without written agreement, authorization, or basis to do so,

in violation of Iowa Code sections 543B.29(3) (practice harmful or detrimental to the public), 543B.34(3) (2001) and Iowa Administrative Code Chapter 193E sections 1.23(543B), 1.24(2), and 4.54(19).

*02-026*

### CIRCUMSTANCES OF THE COMPLAINT

1. On June 3, 2001, Respondent, an agent for Godwin Realty, Inc. listed property owned by J. Michael and Valerie Van Gundy located at 3409 E. 36<sup>th</sup> Street Court, Des Moines, Iowa for \$ 112,500. The listing expired December 3, 2001. The sellers elected not to sign a new listing or extension.
2. The Respondent continued to advertise and market the property for approximately two weeks after the listing expired, maintaining the seller granted verbal authorization.
3. The sellers decided not to sell the property and advised the Respondent to discontinue efforts to market and sell the property. During the discussion, the Respondent advised the sellers that \$ 200 had been paid for advertising that could not be canceled. The seller's paid the Respondent \$ 200. The sellers allege the Respondent refused to return the abstract to them until the \$ 200 was paid. The Respondent maintains the sellers agreed to pay for the advertising. The abstract was returned December 28, 2001.
4. The Respondent did not have written agreement, authorization, or legal basis to collect advertising expenses from the sellers.

### FINDING OF PROBABLE CAUSE

On January 16, 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 17<sup>th</sup> day of APRIL, 2003.

  
Roger L. Hansen, Executive Officer  
Iowa Real Estate Commission

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

**IN RE:**

**WILLIAM P. SIGLIN**  
**Broker Associate (B16939)**

GODWIN REALTY INC  
6900 UNIVERSITY AVENUE  
DES MOINES IA 503111541

**CASE NUMBER: 02-026**

**STIPULATION  
AND  
ORDER**

On this 17<sup>th</sup> day of April, 2003, the Iowa Real Estate Commission and **WILLIAM P. SIGLIN**, 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 June 29, 1976, which is in full force and effect through December 31, 2003.

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. The 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.

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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) (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 pay a civil penalty in the amount of \$ 300 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 02-026.

IT IS FURTHER ORDERED that in lieu of the civil penalty, the Respondent may reimburse the sellers the \$ 200 collected for advertising costs. Satisfactory proof of reimbursement must be received 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 must refer to case 02-026.

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 **WILLIAM P. SIGLIN** on this 31 day of March, 2003.

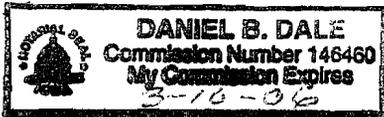


**WILLIAM P. SIGLIN**, Respondent

State of Iowa

County of Polk

Signed and sworn to before me on this 31 day of March, 2003, by



Notary Public, State of Iowa

Printed Name: Daniel B. Dale

My Commission Expires: 3-10-06

**FOR THE COMMISSION:**

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 17<sup>th</sup> day of April, 2003.



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