

COPY

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

IN RE:)	
)	
)	CASE NUMBER: 00-130
SANDRA K. LARSON)	
Salesperson (S12314))	STATEMENT
)	OF
RE/MAX REAL ESTATE CENTER)	CHARGES
1606 S. DUFF, SUITE 100)	
AMES, IA 50010)	
)	

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 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.

SANDRA K. LARSON is, and was at all material times during the following events, a licensed salesperson with Cornwell Realty LTD a licensed real estate firm license number F02014 dba First of Ames, Better Hoes and Gardens, in Ames, Iowa. Her license, number S12314, is in full force and effect through December 31, 2002.

COUNT I

The Respondent is charged with engaging in practices harmful or detrimental to the public by failing to disclose a material adverse fact effecting the value or desirability of a property, in violation of Iowa Code sections 543B.29(3) (practice harmful or detrimental to the public), 543B.34(4), 543B.56(1)(a), (b), & (c), 543B.56(2)(a) & (b), and 543B.61(2) (2001) and Iowa Administrative Code Chapter 193E sections 1.44(1)(b), 1.44(1)(c)(5) & (7), and 4.54(19).

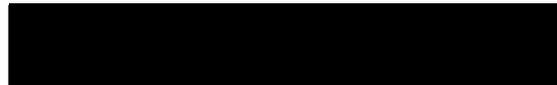
CIRCUMSTANCES OF THE COMPLAINT

1. On or about February 09, 1999, Respondent listed property located at 4212 Phoenix Avenue, Ames, IA, for \$207,000, Edmond and Mary Young, owners. The Youngs prepared a Seller Disclosure of Property Condition dated February 09, 1999.
2. On or about April 03, 1999, Respondent, while acting as a dual agent, prepared an offer for the property for \$195,000 with Daniel Brodkey as buyer, and subject to an inspection to be obtained within 10 days after the appraisal. The sellers accepted the offer.
3. An inspection was done and a report dated April 14, 1999 was faxed to the Respondent. The report specifically noted cupped siding and wood behind the NW corner of the garage rotting. On or about April 26, 1999, an addendum was signed releasing Brodkey from the transaction because of the damages discovered from the inspection.
4. On or about April 22, 1999, Respondent, while acting as a dual agent, prepared an offer for the property for \$195,000 with Daniel Degeest and Amy Bleyle-Degeest as buyer. Sections in the offer providing for a buyer's inspection were left blank.
5. The sellers did not amend the Seller Disclosure of Property Condition to reflect the problems named in the inspection. The Respondent did not inform Degeests' about the problems named in the inspection report. The transaction closed June 10, 1999 and shortly after, Degeest discovered damage. Degeest became aware of the April 14, 1999 inspection after he followed the broker's suggestion to obtain a property inspection. The home inspector hired was the same inspector that had performed the inspection April 14, 1999 and specified the problems in the report provided to the Respondent.
6. The Degeests' were harmed by the Respondent's failure to disclose the material adverse facts and had to obtain remedy through a court process that was not settled until April 27, 2001.

FINDING OF PROBABLE CAUSE

On October 25, 2001 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 17th day of MAY, 2001.



Roger L. Hansen, Executive Secretary
Iowa Real Estate Commission

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

IN RE:

SANDRA K. LARSON
Salesperson (S12314)

RE/MAX REAL ESTATE CENTER
1606 S. DUFF, SUITE 100
AMES, IA 50010

CASE NUMBER: 00-130

STIPULATION
AND
ORDER

On this 18th day of JULY, 2002, the Iowa Real Estate Commission and SANDRA K. LARSON, 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 salesperson license on July 17, 1975, which is in full force and effect through December 31, 2002.

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) (2001).

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 \$ 1000 to the Commission within thirty (30) days of acceptance of this Stipulation and Consent Order by the Commission.

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 SANDRA K. LARSON on this 12 day of June, 2002.

[Redacted Signature]

SANDRA K. LARSON, Respondent

State of Iowa

County of Story

Signed and sworn to before me on this 12 day of June, 2002, by

[Redacted Signature]

Notary Public, State of Iowa

Printed Name: Frances D Lyons

My Commission Expires: 11-13-04

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 18th day of July, 2002.

[Redacted Signature]

James E. Hughes, Chair
Iowa Real Estate Commission

