

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

---

IN RE:	)	
	)	
CARROLL J. SKARIN	)	CASE NUMBER: 00-082
Salesperson (S15284)	)	
	)	STIPULATION
	)	AND
	)	ORDER
DENISON CUSTOM HOMES & REAL ESTATE	)	
1717 4 <sup>TH</sup> AVENUE SOUTH	)	
DENISON, IA 51442	)	

---

On this 25<sup>th</sup> day of OCTOBER, 2001, the Iowa Real Estate Commission and CARROLL J. SKARIN, 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 September 05, 1978 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. 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.

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 \$ 500.00 to the Commission within thirty (30) days of acceptance of this Stipulation and Consent Order by the Commission.

IT IS FURTHER ORDERED that the Respondent shall personally attend the twelve (12) hour Commission approved continuing 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. 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 Secretary and must refer to case 00-082.

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 CARROLL J. SKARIN on this 21st day of September, 2001.

[Redacted Signature]

CARROLL J. SKARIN, Respondent

State of IOWA)

County of CRAWFORD)

Signed and sworn to before me on this 21st day of September, 2001, by

[Redacted Signature]

Notary Public, State of Iowa

Printed Name: Allen Neppes

My Commission Expires: 04/08-04

**FOR THE COMMISSION:**

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 25th day of OCTOBER, 2001.

[Redacted Signature]

~~Robert J. Miller, Chair~~

Iowa Real Estate Commission

JAMES HUGHES  
VICE-CHAIR

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

---

IN RE:	)	
	)	
	)	CASE NUMBER: 00-082
CARROLL J. SKARIN	)	
Salesperson (S15284)	)	STATEMENT OF
	)	CHARGES
DENISON CUSTOM HOMES & REAL ESTATE	)	
1717 4 <sup>TH</sup> AVENUE SOUTH	)	
DENISON, IA 51442	)	

---

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B, and 272C (1999 and 2001).

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

CARROLL J. SKARIN was at all material times, during the following events, a licensed salesperson with Capital Management Services, Inc, a licensed real estate firm (F02312) in Denison, Iowa. His license, number S15284 is in full force and effect through 12-31-2002.

COUNT I

Respondent is charged with engaging in practice harmful or detrimental to the public by engaging in activity that requires a real estate license while his salesperson license was on file with the Iowa Real Estate Commission on inactive status, in violation of Iowa Code section 543B.1, 543B.6, 543B.29(3) & (8), 543B.33, and 543B.34(1) (1999) and 193E IAC section 4.54(1).

### CIRCUMSTANCES OF THE COMPLAINT

1. On December 10, 1999, Respondent's license was renewed to inactive status due to no continuing education credit. His license remained on inactive status until April 5, 2001.
2. On March 8, 2000, Dennis Nepl, on behalf of Skarin Real Estate, listed property located at 111 South 26<sup>th</sup> Street, Denison, Iowa, for \$52,000.
3. On or about May 2, 2000, Sue Davis contacted Respondent by telephone at the real estate office to inquire about properties. Ms. Davis met the Respondent at the real estate office and accompanied him to the property located at 111 South 26<sup>th</sup> Street, Denison, Iowa. Respondent showed Ms. Davis the property on May 2, 2000 with Warren Skarin present and again May 9, 2000 without Warren Skarin present. .
4. On or about May 2, 2000, Respondent prepared an offer on the property with Sue Davis as buyer, for \$47,000. The offer provided for \$100 earnest money and an expiration date in seven days. Davis provided an earnest money check dated May 3, 2000.

### FINDING OF PROBABLE CAUSE

On August 09, 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.

Executed this 25<sup>th</sup> day of OCTOBER, 2001.

  
Roger L. Hansen, Executive Secretary  
Iowa Real Estate Commission