

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

IN RE:)	
)	
)	CASE NUMBER: 99-127
RAYMOND BRONNER)	
Broker (B33906))	STATEMENT OF
)	CHARGES
114 NORTH ELM)	
CRESKO IA 52136)	

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

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

RAYMOND BRONNER was at all material times during the following events, a licensed Sole-Proprietor Broker in Cresco, Iowa. His license, number B33906 is in full force and effect through 12-31-2000.

COUNT I

Respondent is charged with engaging in a practice harmful or detrimental to the public by 1.) knowing the offer was contingent upon the buyer selling his business and failing to include this contingency in the offer and 2.) failing to take appropriate care to clearly establish other financial terms of the offer, in violation of Iowa Code section 543B.29(3) (practice harmful or detrimental to the public) (1999) and 193E IAC sections 1.28(2), 1.43(1)(c)(3), 1.44(2), 1.45(1)(b), and 4.54(19).

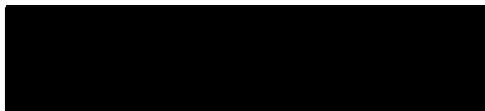
CIRCUMSTANCES OF THE COMPLAINT

1. On May 3, 1999, Respondent entered into a thirty (30) day listing on the property located at 232 5th Avenue West, Cresco, Iowa, owned by Robert and Joyce Headington, for \$32,000.
2. On May 3, 1999, the sellers signed a dual agency agreement. On May 25, 1999, Edward Riha signed the same dual agency agreement.
3. On June 1, 1999, Respondent, while acting as a dual agent, prepared an offer for the property for Edward Riha, buyer, for \$26,000 subject to obtaining financing. Respondent knew the offer was contingent upon Riha selling his business and no earnest money was to be paid until that time, but he failed to reflect this in the offer.
4. The Respondent failed to safeguard his clients by failing to include adequate information relating to the financing contingency.

FINDING OF PROBABLE CAUSE

On April 13, 2000 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 14th day of DECEMBER, 2000.



Roger L. Hansen, Executive Secretary
Iowa Real Estate Commission

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

IN RE:)	
)	
RAYMOND BRONNER)	CASE NUMBER: 99-127
Broker (B33906))	
)	STIPULATION
)	AND
114 NORTH ELM)	ORDER
CRESKO, IA 52136)	
)	

On this 14th day of DECEMBER, 2000, the Iowa Real Estate Commission and RAYMOND BRONNER, 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, . The license is now in full force and effect through December 31, 2000.

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 to the allegations in the Statement of Charges, but agrees to settle this matter.

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) (1999).

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 eight (8) hour Commission approved continuing education course "Contract Law and Contract Writing." 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 99-127. If the Respondent should move to another state, the Commission may, with prior approval, accept a comparable course that is approved by that state's real estate 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 RAYMOND BRONNER on this 6th day of December, 2000.

[Redacted Signature]

RAYMOND BRONNER, Respondent

State of Iowa

County of Howard

Signed and sworn to before me on this 6th day of Dec, 2000, by

[Redacted Signature]

Notary Public, State of Iowa

Printed Name: Patricia Bronner

My Commission Expires: June 2001

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 14th day of December, 2000.

[Redacted Signature]

Evelyn M. Rank, Chair
Iowa Real Estate Commission