

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

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IN RE:	)	
	)	
TAMMY L JACOBS (B29631)	)	CASE NUMBER: 99-020
Broker	)	
	)	STIPULATION AND
	)	CONSENT ORDER
Midwest Realtors	)	
1009 4 <sup>th</sup> Street	)	
Fulton, Illinois 61252	)	

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On this 23<sup>rd</sup> day of SEPTEMBER, 1999, the Iowa Real Estate Commission and TAMMY L JACOBS, 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 broker license to practice real estate on February 4, 1999, as evidenced by license number B29631, which is in full force and effect through December 31, 2001.
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) (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 pay a civil penalty in the amount of \$ 250.00 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 TAMMY L JACOBS on this 30 day of August, 1999.



TAMMY L JACOBS, Respondent

State of ILLINOIS

County of Whiteside

Signed and sworn to before me on this 30 day of August, 1999, by



Notary Public, State of Iowa

Printed Name: Thomas H Jennett

My Commission Expires: 10-19-99

**FOR THE COMMISSION:**

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 23<sup>rd</sup> day of SEPTEMBER, 1999.



**Russell D. Nading, Chair**  
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

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TAMMY L JACOBS (B29631) )  
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Fulton, Illinois 61252 )

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CASE NUMBER: 99-020

STATEMENT OF  
CHARGES

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.

TAMMY L JACOBS was at all material times during the following events, a licensed real estate broker in Fulton, Illinois. Her license, number B229631, is in full force and effect through 12-31-2001.

COUNT I

Respondent is charged with allowing a salesperson, licensed in Illinois and assigned to her, to list property located in Iowa, knowing the salesperson's Iowa license was on file with the Iowa Real Estate Commission on inactive status, in violation of Iowa Code section 543B.29(3), 543B.33, and 543B.34(1) (1999) and 193E IAC section 4.40(19).

COUNT II

Respondent, as an employing broker, is charged with engaging in a practice harmful or detrimental to the public by failing to supervise a salesperson employed by or otherwise associated with the Respondent as a representative, in violation of Iowa Code sections 543B.29(3) (practice harmful or detrimental to the public) (1999) and 193E IAC section 4.40(13).

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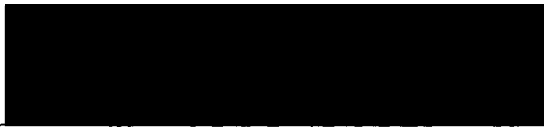
### CIRCUMSTANCES OF THE COMPLAINT

1. Respondent is a licensed real estate broker in Illinois. Debra M. Brown is a licensed real estate salesperson in Illinois assigned to Respondent.
2. Between February 2, 1999, and March 16, 1999, the Iowa real estate salesperson license of Debra M. Brown, number S37787, was on file with the Iowa Real Estate Commission on inactive status.
2. On or about February 22, 1999, Debra Brown, as a representative of Respondent, listed property located at 2009 Roosevelt, Clinton, Iowa for \$85,000.
3. Respondent's Iowa sole-proprietor broker license was issued on February 4, 1999. Respondent knew, or should have known, that Brown's Iowa salesperson license had not been transferred to her and as such, Brown could not engage in activities in Iowa requiring a real estate license.
4. On March 16, 1999, the Iowa salesperson license of Debra Brown was transferred and assigned to the Respondent.

### FINDING OF PROBABLE CAUSE

On July 1, 1999, 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 23<sup>rd</sup> day of SEPTEMBER, 1999.

  
Roger L. Hansen, Executive Secretary  
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

99-020