

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

IN RE:)
)

DOUGLAS A. LEHMAN (B12372))
Broker)

710 14th Street)
Sioux City, Iowa 51105-1211)

CASE NUMBER: 98-028

STIPULATION AND
CONSENT ORDER

On this 9th day of July, 1998, the Iowa Real Estate Commission and DOUGLAS A. LEHMAN, each hereby agrees 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 his 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 November 27, 1991, as evidenced by license number B12372, which is in full force and effect through December 31, 1999.
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 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.

98-028

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) (1997).

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 HEREBY ORDERED that the Respondent is Reprimanded.

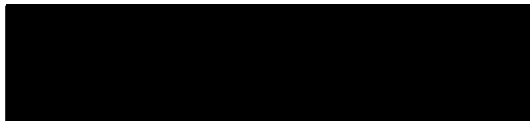
IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty in the amount of \$ 300.00 to the Commission within thirty (30) days of acceptance of this Stipulation and Consent Order by the Commission..

IT IS FURTHER ORDERED that the Respondent shall take eight (8) hours of real estate continuing education in "Iowa Real Estate Trust Accounts," and eight (8) hours of real estate continuing education in "Contract Law and Contract writing" the courses must be approved as a "Broker Pre-License Course." These hours shall be in addition to all other real estate continuing education required by law for license renewal. Original certificates of attendance must be submitted to the Iowa Real Estate Commission within ninety (90) days of the signing of this agreement by the Commission. The certificates of attendance must come under a cover letter addressed to the Commission's Executive Secretary and must refer to case 98-028. These educational requirements shall satisfy the additional continuing education requirements previously ordered in the Stipulation and Consent Order for case number 96-006.

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 the Respondent on this 9th day of June, 1998.

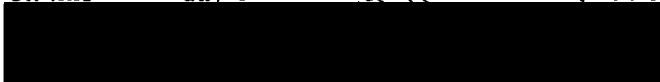


DOUGLAS A. LEHMAN, Respondent

State of Iowa

County of Woodbury

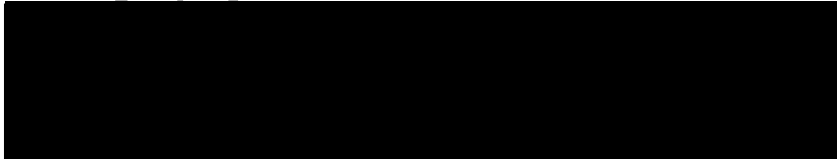
Signed and sworn to before me on this 9 day of June, 1998, by



Notary Public, State of Iowa
Printed Name: Duane E. Hoffmeyer
My Commission Expires: 6-15-2001

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 9th day of JULY, 1998.



Terry W. Rogers, Chair
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

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1918 SE HULSIZER
ANKENY, IOWA

IN RE:)	
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DOUGLAS A. LEHMAN (B12372))	CASE NUMBER: 98-028
Broker)	
)	STATEMENT OF
)	CHARGES
)	
710 14th Street)	
Sioux City, Iowa 51105-1211)	
)	

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B, and 272C (1997).

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

DOUGLAS A. LEHMAN is, and was at all material times during the following events, a licensed sole-proprietor broker in Sioux City, Iowa. His license number is B12372.

COUNT I

The Respondent is charged with failing to comply with the Stipulation and Consent Order in case # 96-006, in violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a) (1997). The Stipulation and Consent Order is incorporated by this reference into this Statement of Charges and is attached.

98-028

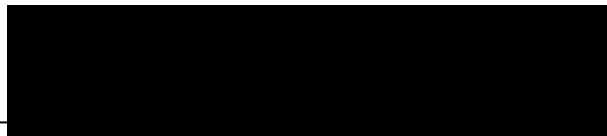
CIRCUMSTANCES OF THE COMPLAINT

1. Respondent was ordered to take two eight-hour broker pre-license courses within thirteen (13) months of August 22, 1996, as more fully described in the attached Stipulation and Consent Order.
2. Pursuant to the terms of the August 22, 1996, Consent Order, failure to comply with its terms is prima facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a).
3. Respondent failed to comply with this requirement or provide a satisfactory explanation for his failure to comply.

FINDING OF PROBABLE CAUSE

On April 23, 1998, 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 9th day of July, 1998.



Roger L. Hansen, Executive Secretary
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General