

THE IOWA REAL ESTATE COMMISSION
1918 SE HULSIZER
ANKENY, IOWA

IN RE:)	
)	
)	CASE NUMBER: 97-035
LOUIS J. BONACCI (S32383))	
Salesperson)	STIPULATION AND
)	CONSENT ORDER
945 42 ND Street)	
West Des Moines, Iowa 502653025)	

On this 21ST day of AUGUST, 1997, the Iowa Real Estate Commission and LOUIS J. BONACCI, 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 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 salesperson license to practice real estate on November 12, 1991, as evidenced by license number S32383, which is in full force and effect through December 31, 1999. The license expired December 31, 1996 and on March 3, 1997, it was renewed to inactive status and remains on file with the Commission.
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 Stipulation and Consent Order.
6. Respondent does not admit to all allegations in the Statement of Charges, but agrees upon hearing the Commission could find one or more violations of law or Commission regulations.

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) (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 Respondent shall take twelve (12) hours of real estate continuing education in "Developing Professionalism and Ethical Practices," the course must be approved as a "Post License Course." These hours shall be in addition to all other real estate continuing education required by law for license renewal. Original certificate of attendance must be submitted to the Iowa Real Estate under a cover letter addressed to the Commission's Executive Secretary and must refer to case 97-035. Respondent shall not be returned to active status until this educational requirement is satisfied and the civil penalty described below has been paid.

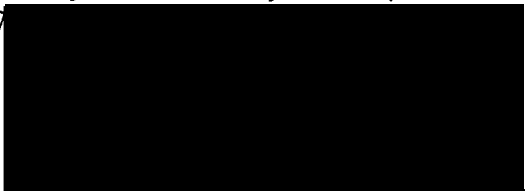
IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty in the amount of \$250.00 to the Commission .

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Bonacci

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 24th day of JULY, 1997



LOUIS J. BONACCI, Respondent

State of _____)

County of _____)

Signed and sworn to before me on this 24 day of July, 1997, by



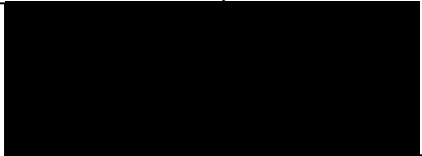
Notary Public, State of Iowa

Printed Name: Carrie Fazio

My Commission Expires: 2-14-00

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on the 21st day of AUGUST, 1997.



Russell D. Nading, Chair
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

THE IOWA REAL ESTATE COMMISSION
1918 SE HULSIZER
ANKENY, IOWA

IN RE:)	
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LOUIS J. BONACCI (S32383))	CASE NUMBER: 97-035
Salesperson)	STATEMENT OF
)	CHARGES
945 42 nd Street)	
West Des Moines, Iowa 502653025)	

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.

LOUIS J. BONACCI is, and was at all material times during the following events, licensed real estate salesperson, his license number is S32383. His license expired December 31, 1996, he renewed to inactive status on March 3, 1997, and it has been on file at the Commission office since.

COUNT I

The Respondent is charged with performing acts constituting dealing in real estate that require current licensure at a time when his license had been returned to the Commission and had lapsed, in violation of Iowa Code sections 543B.1, 543B.6, 543B.29(3) (knowingly making a misleading representation and practice harmful or detrimental to the public), and 543B.33 (performing acts requiring licensure after license returned to Commission) (1997), and IAC 193E, sections 1.2, 1.2(4)(b)(8), (9), and (12), and 4.40(1).

97-035

Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

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