

BEFORE THE IOWA REAL ESTATE COMMISSION
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ANKENY, IOWA

IN RE:)
))
) CASE NUMBER: 94-055
HOWARD J. STIEFEL (S27064))
Salesperson) STATEMENT OF CHARGES
))
Larry Karsten Real Estate Inc.)
PO Box 507)
224 1st Street East)
Independence, Iowa 50644-0507)
))

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B, and 272C (1993).

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

HOWARD J. STIEFEL was at all times during the following events a licensed real estate salesperson. His license number is S27064. HOWARD J. STIEFEL is licensed with Larry Karsten Real Estate and Insurance Inc., Independence, Iowa.

COUNT I

The Respondent is charged with engaging in a practice harmful or detrimental to the public by failing to obtain a written listing agreement with the owner to sell a property, in violation of Iowa Code sections 543B.29(3) and 543B.34(8) (1993) and Iowa Administrative Code Chapter 193E, section 1.23, and 4.40(10).

CIRCUMSTANCES OF THE COMPLAINT

1. On July 20, 1993, Respondent listed the property at 412 9th Avenue S.E., Independence, Iowa, owned by Richard C. Rosaur, for \$29,500.00.
2. The listing expired October 20, 1993. The listing contract was not extended and the property was not relisted.
3. On January 4, 1994, and March 1, 1994, the property was advertised by Larry Karsten Real Estate.

FINDING OF PROBABLE CAUSE

On July 13, 1994, 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 3rd day of NOVEMBER,
1994.



Roger A. Hansen,
Executive Secretary
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

BEFORE THE IOWA REAL ESTATE COMMISSION
OF THE STATE OF IOWA

IN RE:)	CASE NUMBER: 94-055
)	
HOWARD J. STIEFEL (S27064))	
Salesperson)	STIPULATION AND
)	CONSENT ORDER
Larry Karsten Real Estate)	
PO Box 507)	
224 1st Street East)	
Independence, Iowa 50644-0507)	
)	

On this 3rd day of NOVEMBER, 1994, the Iowa Real Estate Commission and HOWARD J. STIEFEL 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 was issued a salesperson license to practice real estate on the 8th day of July, 1987, as evidenced by license number S27064 which is in full force and effect through December 31, 1995.

3. The Iowa Real Estate Commission has jurisdiction over the parties and subject matter jurisdiction of each allegation in the Statement of Charges.

4. A Statement of Charges will be filed against Respondent together with this Stipulation and Consent Order.

5. Respondent admits each and every allegation in the Statement of Charges.

6. 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.

7. 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.

page 2

Stiefel, Howard J.

8. 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) and 543B.34(2) (1993).

9. 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.

10. 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 "Real Estate Law and Agency Law" and these hours shall be in addition to all other real estate continuing education required by law for license renewal. The course must be approved as a "Broker Pre-License Course". 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 94-055.

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.

#2 94-055

page 3
Stiefel, Howard J.

This Stipulation and Consent Order is voluntarily entered into by the Respondent on this 30 day of August, 1994.

[Redacted]
HOWARD J. STIEFEL, Respondent

State of Iowa
County of Duckworth

Signed before me on this, 30th day of August, 1994, by [Redacted]



[Redacted]
Notary Public, State of Iowa
Printed Name: BRENDA LOU WERNER
My Commission Expires: 8-29-96

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on the 3rd day of NOVEMBER, 1994.

[Redacted]
Jerry E. Duggan, Chairman
Iowa Real Estate Commission

cc: Pam Griebel, Special Assistant Attorney General

#2 94-055