

BEFORE THE IOWA REAL ESTATE COMMISSION  
1918 S.E. HULSIZER  
ANKENY, IOWA

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IN RE:	)	CASE NUMBER: 91-034
	)	
Audrey L. Brewer (S30314)	)	
Salesperson	)	
	)	INFORMAL SETTLEMENT
3809 16th Street	)	
Des Moines, IA 50313	)	
	)	
	)	

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Pursuant to Iowa Code Section 17A.10(1991) and 193E Iowa Administrative Code Section 4.12(117), this Informal Settlement is entered into between Audrey L. Brewer and the Iowa Real Estate Commission (Commission). The parties agree as follows:

STIPULATED STATEMENT OF FACTS

1. The Commission has jurisdiction of this matter under Iowa Code Chapters 17A, 117, and 258A(1991) as well as the administrative rules found in Chapter 193E of the Iowa Administrative Code.
2. Audrey L. Brewer is, and was at all times during the following events, a licensed Salesperson. Her license number is S30314. Audrey L. Brewer is licensed with First Realty, Ltd. of Urbandale.
3. Audrey L. Brewer did not make an appointment with the Seller before entering the property as stated on the Listing Agreement.
4. On September 25, 1991, Audrey L. Brewer entered the home of Ann D. Struder (Seller) to view the property before showing the property to a prospective Buyer.

5. Iowa Code Section 117.29(3) states:

Revocation or suspension.

A license to practice the profession of real estate broker and salesperson may be revoked or suspended when the licensee is guilty of the following acts or offenses:

3. Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.

AGREED ORDER

By agreement it is therefore ORDERED, ADJUDGED, and DECREED by the Iowa Real Estate Commission as follows:

1. Audrey L. Brewer has the right to a hearing on this matter, but waives her right to a hearing and all attendant rights by freely entering into this Informal Settlement.

2. By entering the home of Ann Struder without making an appointment, Audrey L. Brewer violated Iowa Code Section 117.29(3).

3. Audrey L. Brewer is hereby REPRIMANDED.

4. Audrey L. Brewer agrees to abide by conditions set forth on Listing Agreements.

5. This Informal Settlement shall be made part of the permanent record of Audrey L. Brewer and shall be considered by the Commission in determining the nature and severity of the disciplinary action to be imposed for any future license law violations by Audrey L. Brewer.

6. Failure to comply with the provisions of this agreed order shall be considered prima facie evidence of a violation of Iowa Code Sections 117.29(3) and 117.34(2)(1991). However, no action may be taken against any licensee without a hearing as provided for in Iowa Code Section 117.35(1991).

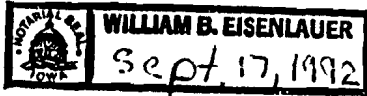
7. The within settlement is subject to the approval of the Commission and if the Commission fails to approve this settlement, it shall be of no force or effect on either the Commission or the licensee, and it shall not be admissible for any purposes at any further proceedings in this matter.

FOR THE BROKER:

Dated this Jan 6 day of Jan 1992.

[Redacted Signature]  
Audrey L. Brewer

Signed and sworn to before me this 6<sup>th</sup> day of January, 1992.



[Redacted Signature]  
Notary Public, State of Iowa

FOR THE COMMISSION:

Signed this 16<sup>th</sup> day of JANUARY, 1992.

[Redacted Signature]  
Jerry F. Duggan, Chairperson

Executed this 16<sup>th</sup> day of JANUARY, 1992.

[Redacted Signature]  
Roger L. Hansen  
Executive Secretary