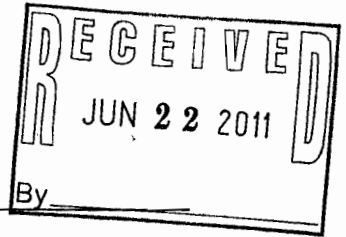


**BEFORE THE IOWA REAL ESTATE COMMISSION  
1920 SE HULSIZER  
ANKENY, IOWA**



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IN THE MATTER OF:	)	Case No. 11-023
	)	
Carrie Webber	)	
Salesperson (S57748)	)	
	)	
Re/Max Real Estate Concepts	)	<b>COMBINED STATEMENT OF</b>
3125 Douglas Ave, Ste. 205	)	<b>CHARGES, INFORMAL</b>
Des Moines, Iowa 50310	)	<b>SETTLEMENT AGREEMENT</b>
	)	<b>AND CONSENT ORDER IN A</b>
Respondent	)	<b>DISCIPLINARY CASE</b>

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The Iowa Real Estate Commission (Commission) and **Carrie Webber** (Respondent) enter into this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order in a Disciplinary Case (Order) pursuant to Iowa Code Sections 17A.10(1) and 272C.3(4) (2009).

1. The Commission issued the Respondent real estate salesperson license number (S57748) on July 21, 2006. Respondent's license is current and in full force and effect through December 31, 2011. At all times relevant to this matter, the Respondent was a licensed real estate salesperson, assigned to Re/Max Real Estate Concepts, a licensed real estate firm, license number (FO4363) located in Des Moines, Iowa.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2009). Licenses issued by the Commission are subject to the laws of the State of Iowa and to the administrative rules of the Commission.

**Statement of Charges**

Count I

3. Respondent is charged with engaging in practices harmful or detrimental to the public, and failing to diligently exercise reasonable skill and care in providing brokerage services to all parties in violation of Iowa Code section 543B.29(1)(c), 543B.34(11), 543B56(1)(a) & (b) by failing to fully disclose terms and conditions associated with an inducement offered in a transaction. See 193E Iowa Admin. Code sections 10.1(2), 11.1(543B), and 18.14(5)(s).

### Circumstances

4. Respondent acted as a dual agent for the sale of the property located at 1214 Park Avenue, Des Moines, Ia.

5. The Respondent in advertising the property on Craigslist included in the advertising that a free one week vacation in Florida was included with an acceptable offer.

6. After a purchase agreement had been agreed upon and prior to closing, the Buyer asked about the vacation and was advised by the Respondent that the vacation offered applied only to a cash transaction and did not apply to a contract sale.

### Settlement Agreement

7. Respondent admits to the allegations in the above-stated Statement of Charges.

8. Respondent acknowledges that she has a right to receive notice of the above-stated charges and to request a hearing before the Commission on the merits of the charges. By freely and voluntarily entering into this Order, the Respondent waives her right to notice and a hearing and all attended rights, including the right to seek judicial review. The Order constitutes discipline against the Respondent, and is the final agency order in this contested case pursuant to Iowa Code section 17A.10 and 193 Iowa Admin Code 7.4.

9. Respondent agrees that the State's attorney and/or Commission staff may present this Order to the Commission and may have *ex parte* communications with the Commission while presenting it. Respondent waives any right of notice of this meeting or any right that the Respondent may have to participate in the discussion of this Order among the Commission, the Commission staff and the State's attorney.

10. This Order shall be part of the permanent record of the Respondent and shall be considered by the Commission in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations of the laws and rules governing the practice of real estate by the Respondent.

11. Failure to comply with the terms of this Order shall be prime facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a)(2009) and shall be grounds for further disciplinary action. However, no action may be taken against the respondent for violations of this Order without a hearing, or waiver of hearing.

12. This Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members.

(a) In the event that this Order is rejected by the Commission it shall be of no force or effect to either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Commission approves this Order, it shall fully dispose of all issues in this case.

13. Upon acceptance by both the Commission and the Respondent, this Combined Statement of Charges, Informal Settlement and Consent Order shall be made a public record available for inspection and copying in its entirety in accordance of Iowa Code chapter 212 (2009).

**Consent Order**

14. **REPRIMAND.** Pursuant to 193E Iowa Administrative Code section 18.14 (1)(j), the Respondent is reprimanded.

15. **EDUCATION.** The Respondent shall attend the Commission approved eight (8) hour course "Law Update." These hours shall be in addition to any real estate continuing education required by law for license renewal. The original certificate of attendance must be submitted to the Iowa Real Estate Commission within twelve (12) months of the signing of this agreement by the Commission and must come under a cover letter addressed to the Commission's Executive Officer and refer to case 11-023.

16. **FUTURE COMPLIANCE.** Respondent agrees that at all future times she shall fully and promptly comply with all pertinent orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

**WHEREFORE**, the terms of this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order are agreed to and accepted by the Iowa Real Estate Commission and the Respondent.

**FOR THE RESPONDENT:**

Voluntarily agreed to and accepted by Carrie Webber on this 15<sup>th</sup> day of June, 2011.

By: **CARRIE WEBBER**, Respondent

In Re: Carrie Webber

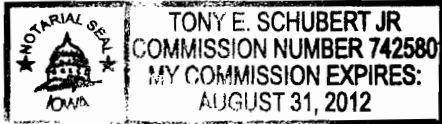
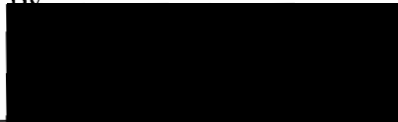
11-023

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State of Iowa )

County of Polk )

Signed and sworn to before me on this 15 day of  
June, 2011, by:



Notary Public, State of Iowa

Printed Name: TONY SCHUBERT

My Commission Expires: 8-31-12

**FOR THE COMMISSION:**

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE**

COMMISSION on this: 23 day of June, 2011.



Laurie Dawley  
**LAURIE DAWLEY**, Chair  
Iowa Real Estate Commission