

FILED May 14, 2015 (Date)

BEFORE THE IOWA REAL ESTATE COMMISSION  
200 EAST GRAND, SUITE 350  
DES MOINES, IOWA 50309

IREC  
Board / Commission  
M. M. G.  
Signature, Executive Officer

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IN RE:	)	
	)	CASE NUMBER: 15-118
Tisha M. Boussetot	)	
813 Fox Ridge Road	)	CONSENT AGREEMENT
Eldridge, IA 52748	)	
	)	
APPLICANT	)	

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The Iowa Real Estate Commission (Commission) and Tisha M. Boussetot (Applicant) enter into this Consent Agreement (Agreement) pursuant to Iowa Code Sections 17A.10, 272C.3(4), and 543.B.19 (2015).

1. The parties acknowledge the following:

- (A) On or about February 8, 1999, the Applicant was originally licensed as a salesperson with the Commission.
- (B) The Applicant's salesperson license (S39348000) was in full force and effect until it expired on December 31, 2011.
- (C) While previously licensed as a salesperson, the Applicant was disciplined by the Commission on two separate instances. In April 2006 the Applicant and the Commission entered into an Informal Settlement Agreement for her practice of real estate with an expired license. See IREC Case No. 05-038. In August 2007 the Respondent and the Commission entered into an Informal Settlement Agreement for her failure to notify the Commission of a change in residence address. See IREC Case No. 07-062.
- (D) On or about January 30, 2015, the Applicant submitted a Waiver for Completing Criminal History Background Checks to the Commission so that the criminal history check required by Iowa Code 543B.15(9) (2015) could be completed.
- (E) On or about April 17, 2015, the Applicant submitted an application to the Commission for a new Iowa real estate salesperson license. On the Application form, the Applicant answered question 9c by stating that she did

not have any disciplinary action taken against her by any state board or similar licensing body. Also on the Application form, the Applicant answered question 10a by stating that she did have a criminal conviction for a felony or misdemeanor offense.

- (F) A search of Commission records established that the Applicant failed to accurately and/or completely disclose her past professional disciplinary history as requested by question 9c on the license application form.
  - (G) The criminal history checks conducted by the Iowa Division of Criminal Investigations and the Federal Bureau of Investigation pursuant to Iowa Code 543B.15(9) (2015) and a search of Iowa Courts Online established that the Applicant failed to accurately and/or completely disclose her criminal history as requested by question 10a on the license application form.
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- (H) The Applicant does not contest that she failed to accurately disclose her professional disciplinary history and criminal history as requested by questions 9c and 10a on the license application form.
  - (I) A person who makes a false statement of material fact on an application for an Iowa real estate salesperson license may be denied a license by the Commission solely on the grounds of the false statement. See Iowa Code § 543B.15(5) (2015).
  - (J) Truthful and complete disclosure of one's criminal history and past professional disciplinary history are essential to the Commission's determination of whether an applicant meets all requirements for obtaining an Iowa real estate salesperson license. See Iowa Code §§ 543.15(3), 543B.15(4) (2015). The Applicant's failure to accurately and completely disclose her past professional disciplinary history and criminal history constitutes a false statement of material fact upon which the Commission may deny her license application.
  - (K) The Applicant's criminal history or past professional disciplinary history as of the date of her license application would not have otherwise disqualified the Applicant from obtaining a real estate salesperson license had she accurately disclosed that history as requested by questions 9c and 10a on the application for an individual license form.

2. In recognition of the material false statements submitted to the Commission as detailed above in subparagraphs 1-H and 1-J, the Applicant voluntarily agrees that as a condition for receiving a new Iowa real estate salesperson license, the Applicant shall pay to the Commission a civil monetary penalty in the amount of five hundred dollars (\$500.00) within thirty (30) days of the Commission's approval of this Agreement. Failure to timely submit the agreed upon civil penalty shall result in the denial of the Applicant's license application. Furthermore, the Applicant shall submit an amended real estate salesperson license Application to the Commission that correctly states her professional disciplinary history and criminal history. Said Application and disclosures referencing questions 9c and 10a are to be duly signed and acknowledged by the employing broker.

3. Provided that the Applicant can demonstrate she meets all other licensing requirements, including payment of the applicable licensing fee, the Applicant shall be issued an Iowa real estate salesperson license upon her submission of a corrected license application and the Commission's timely receipt of the civil monetary penalty as required by paragraph 2 of this Agreement. Should the Applicant otherwise fail to demonstrate her eligibility to hold a real estate salesperson license, the civil monetary penalty remitted by the Applicant to the Commission shall be returned.

4. By entering into this Agreement, the Applicant acknowledges and voluntarily waives her right to adjudicate the merits of her pending application for a new real estate salesperson license through the commencement of a contested case proceeding before the Commission, and all rights attendant to a contested case proceeding including the right to seek judicial review of the Commission's actions.

5. This Agreement shall be made a part of the record of the Applicant 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.

6. The Applicant voluntarily submits this Agreement to the Commission for its consideration. This Agreement is not binding on the Iowa Real Estate Commission until it has been formally approved. If the Commission fails to approve this Agreement, it shall be of no force or effect on either party.

7. This Agreement shall be public record. The Applicant further agrees to fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

IREC Case No. 15-118  
Tisha M. Boussetot

**WHEREFORE**, the terms of this Consent Agreement are agreed to and accepted by the Iowa Real Estate Commission and the Applicant.

Tisha M. Boussetot  
**TISHA M. BOUSSELOT**  
Applicant

Terrance M. Duggan FOR CHAIR  
**TERRANCE M. DUGGAN, Chair**  
Iowa Real Estate Commission

5/12/15  
Date

May 14, 2015  
Date