

IOWA REAL ESTATE COMMISSION	)	
	)	
Complainant,	)	
	)	ASSURANCE OF VOLUNTARY
vs.	)	COMPLIANCE
	)	
ARLIN ZEVENBERGEN (#B03100)	)	
	)	
Broker-Respondent.	)	

COMES NOW, the Iowa Real Estate Commission and Arlin Zevenbergen, Broker-Respondent and enter into this Assurance of Voluntary Compliance based upon the following stipulated facts:

1. That the Iowa Real Estate Commission has jurisdiction of the matter under Sections 117.29, 117.34, 117.35, and 117.46 of the 1981 Code of Iowa.
2. That Arlin Zevenbergen hereinafter referred to as Respondent is a licensed real estate broker number B03100 who at all times relevant to the matters contained herein was the broker responsible for RC Realtors, 346 E. Ridgeway, Waterloo, Iowa.
3. That Respondent maintains a real estate trust account as required by Section 117.46 of the Code of Iowa at the National Bank of Waterloo being account number 5199328 entitled "RC Realtors Trust Account".
4. That Respondent during 1979, 1980, and 1981 managed an apartment complex owned by Ruby Kane.
5. That Ruby Kane filed a complaint with the Iowa Real Estate Commission charging that Respondent had not properly accounted for all funds coming into the Respondent's possession.
6. That during an examination of the records of the Respondent in response to the complaint it was determined that there appeared to be a proper accounting for all funds coming into the possession of the Respondent in his capacity as manager of the Kane property.
7. That although not misappropriated, certain payments may not have been made in a timely manner and did result in penalties being incurred for certain expenses.
8. That the funds were accounted for independent from Respondent's trust account.

9. That Section 117.46 of the Code of Iowa requires that "all down payments, earnest money deposits, or other trust funds received by the broker or the broker's salespersons on behalf of the broker's principal, except that a broker acting as a salesperson shall deposit those funds in the common trust account of the broker for whom he or she acts as salesperson." (emphasis added)

THEREFORE, it is hereby agreed by and between the Iowa Real Estate Commission and Arlin Zevenbergen that:

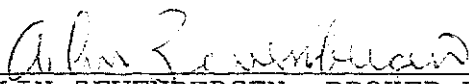
1. The Respondent will when managing property for others diligently pay expenses in a timely manner so as not to incur additional costs.

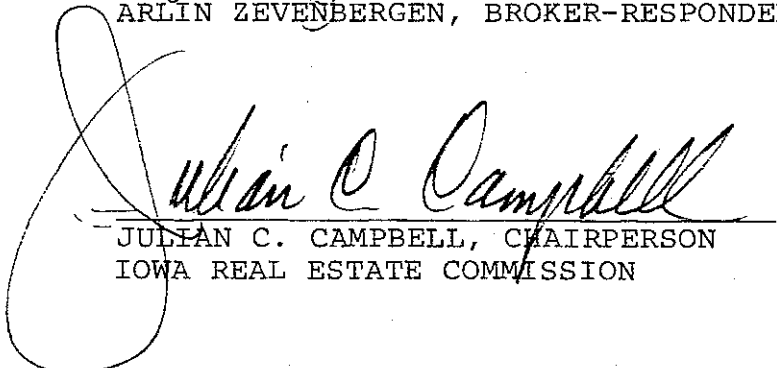
2. The Respondent will when managing property for other parties deposit all trust funds received from other parties into the Respondent's trust account and provide a full and complete accounting as part of the trust account records of Respondent for funds handled on behalf of other parties.

3. The Iowa Real Estate Commission will assist Respondent by providing consultation or advice in developing initial trust account records in accordance with Statute and Rules of the Iowa Real Estate Commission.

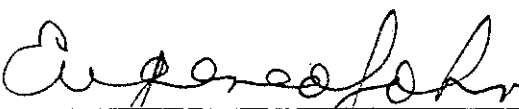
4. This agreement be made a part of the Iowa Real Estate Commission's permanent record of the Respondent.

Agreed to this 7 day of September 1982.

  
ARLIN ZEVENBERGEN, BROKER-RESPONDENT

  
JULIAN C. CAMPBELL, CHAIRPERSON  
IOWA REAL ESTATE COMMISSION

ATTEST:

  
EUGENE O. JOHNSON, DIRECTOR  
IOWA REAL ESTATE COMMISSION