

FILED 1-10-17 (Date)

REAP

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD
OF THE STATE OF IOWA

Commission

B March

Signature, Executive Officer

IN THE MATTER OF:

Robert K. Olson,
CG02731

RESPONDENT

Case No. 16-06

NOTICE OF HEARING AND
STATEMENT OF CHARGES IN A
DISCIPLINARY CASE

The Iowa Real Estate Appraiser Examining Board ("Board") issues this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 543D.17 (2015). Respondent is a certified general real estate appraiser in Iowa. He was issued Certificate No. CG02731 on December 17, 2007. Certificate No. CG02731 is currently valid, and scheduled to expire on June 30, 2017. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C, and 543D.

**A. TIME, PLACE, AND NATURE OF HEARING AND
HEARING PROCEDURES**

1. **Hearing.** A disciplinary contested case hearing will be held before the Board on the **21st day of February, 2017, at 10:15 o'clock, a.m.**, at 200 E. Grand, Ste. 350, Des Moines, IA 50309.
2. **Answer.** Within 20 days of the date you are served with this Notice you must file an answer to the charges as provided in Iowa Administrative Code rule 193—7.9.
3. **Prehearing Conference.** A prehearing conference will be held by telephone on the **14th day of February, 2017, at 9:00 o'clock, a.m.**, before an Administrative Law Judge from the Iowa Department of Inspections and Appeals ("ALJ"). You are responsible for notifying the Board office of the telephone number at which you or your counsel may be reached. Board rules on prehearing conferences may be found at Iowa Administrative Code rule 193—7.21.
4. **Presiding Officer.** The full Board shall serve as presiding officer at hearing, pursuant to Iowa Code section 272C.6(1) and Iowa Administrative Code 193—7.10(1). The Board may request that an ALJ make initial rulings on prehearing matters, and be present to assist and advise the Board at hearing, as described in 193 Iowa Administrative Code 7.10(4).
5. **Hearing Procedures.** Board rules on hearing procedures may be found at Iowa Administrative Code chapter 193—7 and Iowa Administrative Code chapter 193—8. You have the right to respond to the charges, produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. Consult Iowa Administrative Code rule 193—7.22 if you need to request an alternative time or date. The hearing may be open to the public or closed to the public at the discretion of Respondent.
6. **Default.** If you fail to appear at hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code

section 17A.12(3) and Iowa Administrative Code rule 193—7.27.

7. **Prosecution.** Licensee disciplinary cases are prosecuted by an Assistant Attorney General acting on behalf of the public interest (the State). Copies of all pleadings shall be filed with the Board, with copies mailed to:

Luke Dawson
Assistant Attorney General
Iowa Attorney General's Office
2nd Floor, Hoover State Office Building
Des Moines, Iowa, 50319.

Mr. Dawson may also be reached by phone at (515) 414-6187 or e-mail at luke.dawson@iowa.gov.

8. **Respondent's Counsel.** Copies of all pleadings filed with the Board shall be provided to: Dan Manning at dmanning@lolaw.com [address and phone number unknown].

9. **Settlement.** The procedural rules governing the Board's settlement process are found at Iowa Administrative Code rule 193—7.42. If you are interested in pursuing settlement of this matter, please contact Assistant Attorney General Luke Dawson.

10. **Communications.** You may not contact Board members by phone, letter, facsimile, email, or in person about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to: Assistant Attorney General, Luke Dawson, or Brandy March, the Board's Executive Officer, at (515) 725-9025.

B. STATEMENT OF CHARGES AND CIRCUMSTANCES

1. The Board found probable cause to file charges on November 21, 2016.

2. Respondent is a certified general real estate appraiser in Iowa. Respondent was issued Certificate No. CG02731 on December 17, 2007.

3. Certificate No. CG02731 is currently valid and in good standing and is scheduled to expire on June 30, 2017.

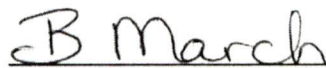
4. In early 2016, the Board received a complaint against Respondent raising questions about Respondent's compliance with USPAP in the development and reporting of an appraisal assignment. The Board submitted the appraisal report underlying the complaint for a Standard Three USPAP review. The appraisal review revealed multiple issues with appraisal methodology, accuracy, and adherence to USPAP standards of practice. In light of these issues, and in order to review Respondent's work product as a whole, the Board obtained two additional appraisal reports from Respondent and submitted them for Standard Three USPAP review. Both of these appraisal reviews revealed issues with appraisal methodology, accuracy, and adherence to USPAP standards of practice.

5. The Board charges Respondent with:

- a) Failure to adhere to USPAP in violation of Iowa Code sections 543D.17(1)(d) and .18(1) and Iowa Administrative Code rules 193F—7.2, .3(2)(d) and .3(7)(a);
- b) Failure to exercise reasonable diligence in the development and communication of multiple appraisals in violation of Iowa Code section 543D.17(e) and Iowa Administrative Code rule 193F—7.3(6)(a); and
- c) Demonstrating negligence or incompetence in the development, preparation and communication of multiple appraisals in violation of Iowa Code section 543D.17(f) and Iowa Administrative Code rules 193F—7.3(2)(c) and (6)(a).

This Notice of Hearing and Statement of Charges is Filed and Issued

On the 10th day of January, 2017



Brandy March, Executive Officer
Iowa Real Estate Appraiser Examining Board
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Des Moines, IA 50309
Phone: (515)725-9025
brandy.march@iowa.gov