

FILED May 3, 2018 (Date)
IREC
Board / Commission
[Signature]
Signature, Executive Officer

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

IN RE:)
) CASE NUMBERS: 17-071, 17-097
 Ricardo Uranga, Jr.)
 Broker (B56710000))
 INACTIVE) INFORMAL SETTLEMENT
) AGREEMENT AND CONSENT
) ORDER IN A DISCIPLINARY CASE
 3093 Rocky Rd)
 Waterloo, IA 50707)
)
)
 RESPONDENT)

The Iowa Real Estate Commission (Commission) and **Ricardo Uranga, Jr.** (Respondent) enter into this Informal Settlement Agreement and Consent Order in a Disciplinary Case (Order) pursuant to Iowa Code Sections 17A.10(1) and 272C.3(4) (2017).

1. The Commission issued the Respondent real estate broker license number B56710000 on December 10, 2010. At all times relevant to this matter, the Respondent served both as the designated broker in charge and a licensed real estate broker officer of Turn-Key Real Estate LLC, license number F05465000, located in Waterloo, Iowa. On April 13, 2018 the Respondent's real estate broker license was placed on inactive status and the real estate brokerage firm license for Turn-Key Real Estate LLC was cancelled.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2017). Licenses issued by the Commission are subject to the laws of the State of Iowa and to the administrative rules of the Commission.

SETTLEMENT AGREEMENT

3. On April 2, 2018, the Commission issued a Statement of Charges against the Respondent. A true and accurate copy of said Statement of Charges is attached to this Order as Exhibit 1. The Respondent admits to each and every allegation recited in the attached Statement of Charges. This case shall constitute one violation for purposes of Iowa Code section 543B.29(4) (2018).

4. The Respondent acknowledges that he has a right to a hearing before the Commission on the merits of the charges. By freely and voluntarily entering into this Order, the Respondent waives his right to a hearing and all attendant rights, including the right to seek judicial review. This Order constitutes the final agency order in this contested case pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.

5. The 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 might have to participate in the discussion of this Order among the Commission, the Commission staff and the State's attorney.

6. The Respondent shall at all future times fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate. 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.

7. Failure to comply with the terms of this Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(1)(d), 543B.34(1) and 272C.3(2)(a) (2018) 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.

8. This Order is not binding on the 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.

9. Upon acceptance by both the Commission and Respondent, this Informal Settlement Agreement and Consent Order shall be a public record available for inspection and copying in its entirety in accordance with the requirements of Iowa Code chapter 22 (2018).

CONSENT ORDER

IT IS THEREFORE ORDERED:

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

11. **CIVIL PENALTY.** As sanction for Count II of the hearing complaint (Case No. 17-097), the Respondent shall pay a civil penalty to the Commission in the amount of one thousand dollars (\$1,000). The civil penalty must come under a cover letter addressed to the Commission's Executive Officer, referencing Case Number 17-097. The civil penalty provided for in this

paragraph shall be in addition to the one thousand dollar (\$1,000) civil penalty the Respondent presently owes the Commission pursuant to the April 2, 2015 informal settlement agreement approved by the Commission in Case No. 15-061.

12. SUSPENSION. The Respondent's real estate broker license shall be suspended indefinitely commencing immediately upon the Commission's acceptance of this Order. Upon the Respondent's submission in total of the civil penalties outstanding for both Case Nos. 15-061 and 17-097 (\$2,000 total), the Respondent's real estate broker license shall be reinstated upon order of the Commission's Executive Officer.

13. FUTURE COMPLIANCE. The Respondent shall at all future times fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

14. DISMISSAL. In consideration of the Respondent's agreement to remedy his failure to comply with all terms of the informal settlement agreement he entered with the Commission in Case No. 15-061, the Commission hereby dismisses Count I (Case No. 17-071) of the hearing complaint.

WHEREFORE, the terms of this Informal Settlement Agreement and Consent Order is agreed to by the Iowa Real Estate Commission and the Respondent.

FOR THE RESPONDENT:

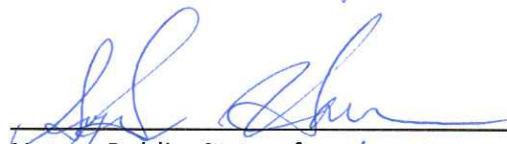
Voluntarily agreed to and accepted by **Ricardo Uranga, Jr.** on this 23 day of April, 2018.


By: **RICARDO URANGA, JR.**, Respondent

State of Iowa)

County of Black Hawk

Signed and sworn to before me on this 23 day of April, 2018, by:


Notary Public, State of Iowa
Printed Name: Sylvia Hanson
My Commission Expires: Aug 10, 2020

FOR THE COMMISSION:

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this
3rd day of MAY, 2018.



TERRANCE M. DUGGAN, Chair
Iowa Real Estate Commission

FILED April 2, 2018 (Date)
J.R.C.
Board / Commission
M. L.
Signature, Executive Officer

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

IN RE:)	
	)	CASE NUMBERS: 17-071, 17-097
Ricardo Uranga, Jr.)	
Broker (B56710000)	)	NOTICE OF HEARING AND
	)	STATEMENT OF CHARGES
Turn-Key Real Estate LLC)	
828 W 4 th Street)	
Waterloo, IA 50702)	
)	
RESPONDENT)	

The Iowa Real Estate Commission ("Commission") issues this Notice of Hearing pursuant to Iowa Code Section 17A.12(2). The Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B and 272C (2018). Licenses issued by the Commission are subject to the laws of the State of Iowa and to the administrative rules of the Commission.

The Commission issued Ricardo Uranga, Jr. ("Respondent") real estate broker license number B56710000 on December 10, 2010. Respondent's license is in full force and effect until December 31, 2018. At all times relevant to this matter, the Respondent served both as the designated broker in charge and a licensed real estate broker officer of Turn-Key Real Estate LLC, license number F05465000, located in Waterloo, Iowa.

NOTICE OF HEARING

- 1. HEARING.** A contested case hearing will be held concerning the below-stated disciplinary charges before the Iowa Real Estate Commission on the 3rd day of **May, 2018** at **1:30 o'clock PM**, at 200 East Grand, Suite 350, Des Moines, Iowa.
- 2. ACKNOWLEDGMENT.** The Commission requests that you file a statement to acknowledge receipt of the notice of hearing within 10 days of the date you are served with this Notice.
- 3. ANSWER.** Within 20 days of the date you are served with this Notice you must file an answer to the charges as provided in 193 Iowa Administrative Code 7.9.
- 4. PREHEARING CONFERENCE.** A prehearing conference will be held by telephone on the 25th day of **April, 2018** at **10:00 o'clock AM** before an Administrative Law Judge from the Iowa

Department of Inspections and Appeals (“ALJ”). You are responsible for notifying the Commission office of the telephone number at which you or your counsel can be reached. Commission rules on prehearing conferences may be found at 193 Iowa Administrative Code 7.21.

5. **PRESIDING OFFICER.** The full Commission shall serve as presiding officer at hearing, pursuant to Iowa Code section 272C.6(1) and 193 Iowa Administrative Code 7.10(1). The Commission 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).

6. **HEARING PROCEDURES.** Commission rules on hearing procedures may be found at 193 Iowa Administrative Code chapter 7. You have the right to respond to the charges, produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally and be represented by counsel at your own expense. Consult rule 193 Iowa Administrative Code 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 the Respondent.

7. **DEFAULT.** If you fail to appear at hearing, the Commission 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 193 Iowa Administrative Code 7.27.

8. **STATE’S COUNSEL.** 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 Commission, with copies mailed to:

John R. Lundquist
Assistant Attorney General
Iowa Department of Justice
2nd Floor, Hoover State Office Building
Des Moines, Iowa 50319

Phone: 515-281-3658
Fax: 515-281-4209
john.lundquist@iowa.gov

9. **RESPONDENT'S COUNSEL.** Copies of all pleadings filed with the Commission shall also be provided to Respondent's counsel of record:

NONE

10. **SETTLEMENT.** The procedural rules governing the Commission's settlement process are found at 193 Iowa Administrative Code 7.42. If you are interested in pursuing settlement of this matter, please contact Assistant Attorney General John R. Lundquist.

11. **COMMUNICATIONS.** You may not contact Commission members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing and Statement of Charges. Commission 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 Commission office and serve upon all parties in the case. You should direct any questions to Assistant Attorney General John R. Lundquist at 515-281-3658, or the Commission's Executive Officer, Jeff Evans, at 515-725-9026, or Fax 515-725-9032.

12. **ADA NOTICE.** If you require the assistance of auxiliary aids or services to participate in this matter because of a disability, immediately call or e-mail the Commission's Executive Officer at 515-725-9026. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.

STATEMENT OF CHARGES

COUNT I (CASE NO. 17-071)

13. Respondent is charged with failing to comply with the terms of a settlement agreement and consent order in violation of Iowa Code sections 543B.34(1)(j), 272C.3(2)(a) (2018). See 193E Iowa Administrative Code sections 18.2(1), 18.2(3), 18.14(5)(s).

CIRCUMSTANCES

14. The Respondent was the subject of Iowa Real Estate Commission complaint case number 15-061 concerning his compliance with the Commission's mandatory errors and omissions insurance requirement. This complaint case (IREC Case No. 15-061) was resolved through an Informal Settlement Agreement that was accepted by the Commission on April 2, 2015. A true and accurate copy of the above-referenced Informal Settlement Agreement is attached as Exhibit A.

15. Pursuant to paragraph 13 of the Informal Settlement Agreement, the Respondent agreed to pay a civil penalty to the Commission in the amount of one thousand dollars (\$1,000.00) within three hundred sixty (360) days of the Commission's acceptance of the settlement agreement. To date, the Respondent has yet to submit to the Commission the \$1,000 civil penalty as required by paragraph 13 of the Informal Settlement Agreement and Consent Order.

COUNT II (CASE NO. 17-097)

16. Respondent, as the designated broker, is charged with engaging in practices harmful or detrimental to the public by failing to comply with the mandatory errors and omissions insurance requirement for his licensed real estate firm in violation of Iowa Code sections 543B.29(1)(c), 543B.29(1)(d), 543B.29(1)(j), 543B.34, 543B.47(1), 543B.47(6) (2017) and 193E Iowa Administrative Code sections 18.2(5), 18.14(5)(s), 19.6(5), 19.6(6).

CIRCUMSTANCES

17. Turn-Key Real Estate, LLC, license number F05465000, was actively licensed in the state of Iowa for the time period January 1, 2017 to December 31, 2017. As a broker officer of the real estate brokerage firm and designated broker, the Respondent is responsible for ensuring compliance with all applicable rules and regulations governing its operations in the state of Iowa. See 193E Iowa Admin. Code rr. 19.3(2), 19.3(9).

18. In February and March of 2017, Turn-Key Real Estate, LLC was sent a random audit by the Commission to verify its compliance with the mandatory errors and omissions insurance requirement imposed by Iowa Code section 543B.47.

19. Turn-Key Real Estate, LLC failed to maintain uninterrupted errors and omission while actively licensed and the Respondent therefore could not provide proof of insurance coverage to the Commission for the time period of January 1, 2017 to December 31, 2017 for the real estate brokerage firm.

NOTICE OF APPLICABILITY OF IOWA CODE SECTION 543B.29(4)

20. On April 2, 2015, the Commission approved an Informal Settlement Agreement and Consent Order with the Respondent through which he did not contest the violations charged in IREC Case No. 15-061. A true and accurate copy of this settlement agreement is attached as Exhibit A and its contents are incorporated herein.

21. In case number 15-061, the Respondent was charged with failing to comply with the mandatory errors and omissions insurance requirement for the year 2015 in violation of Iowa Code sections 543B.29(1)(j), 543B.47(1), and 543B.47(6). This violation occurred in January 2015.

22. Should the above-stated charges in Case No. 17-071 and Case No. 17-097 be sustained by the Commission, it would constitute the third violation of Iowa Code section 543B.29 and/or Iowa Code section 543B.34 committed by the Respondent within a three-year period. The Iowa Code provides that: "A real estate broker's or salesperson's license shall be revoked following three violations of [Iowa Code section 543B.29] or [Iowa Code] section 543B.34 within a three-year period." Iowa Code § 543B.29(4) (2018).

This Notice of Hearing and Statement of Charges is filed and issued on the 2nd day of April, 2018.



Jeffrey M. Evans, Executive Officer
Iowa Real Estate Commission

Copies to:

Assistant Attorney General John Lundquist

Department of Inspections and Appeals, assigned Administrative Law Judge

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

April 2, 2015 (Date)

IREL
Board / Commission
Signature Executive Officer

IN RE:)	
	)	CASE NUMBER: 15-061
Turn-Key Real Estate LLC)	
Firm (F05465000)	)	COMBINED STATEMENT OF
	)	CHARGES, INFORMAL
828 W 4 th Street	)	SETTLEMENT AGREEMENT,
Waterloo, IA 50702	)	AND CONSENT ORDER IN A
	)	DISCIPLINARY CASE
RESPONDENT)	

The Iowa Real Estate Commission (Commission) and Turn-Key Real Estate LLC (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) (2015).

1. The Commission issued the Respondent real estate firm license number F05465000 on December 10, 2010. Respondent's firm license is now current and in full force and effect through December 31, 2015. At all times relevant to this matter, Ricardo Uranga, Jr., broker license number B56710000, was the designated broker of the Respondent real estate brokerage firm, located in Waterloo, Iowa.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2015). 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. The Respondent is charged with failing to comply with the mandatory errors and omissions insurance requirement for the licensed real estate firm in violation of Iowa Code sections 543B.29(1)(j), 543B.47(1), 543B.47(6) (2015) and 193E Iowa Administrative Code sections 18.2(5), 18.14(5)(s), 19.6(5), 19.6(6).

CIRCUMSTANCES

4. In January of 2015, the Respondent was sent a random audit by the Commission for compliance with the mandatory errors and omissions insurance requirement.

EXHIBIT A

5. The Respondent failed to maintain uninterrupted errors and omission while actively licensed and could therefore not provide proof of insurance coverage to the Commission for the time period of January 1, 2015 to January 3, 2015.

SETTLEMENT AGREEMENT

6. Without admission of wrongdoing or guilt, the Respondent does not contest the violations alleged in the above-stated Statement of Charges. This case shall constitute one violation against License Number F05465000 for purposes of Iowa Code section 543B.29(4) (2015).

7. Respondent acknowledges that it 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 its right to notice and a hearing and all attendant rights, including the right to seek judicial review. This 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 Administrative Code 7.4.

8. 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 might have to participate in the discussion of this Order among the Commission, the Commission staff and the State's attorney.

9. This Order shall be part of the permanent record of 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.

10. Failure to comply with the terms of this Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(1)(d), 543B.34(1) and 272C.3(2)(a) (2015) 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.

11. 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.

12. Upon acceptance by both the Commission and Respondent, this Combined Statement of Charges, Informal Settlement and Consent Order shall be a public record available for inspection and copying in its entirety in accordance with the requirements of Iowa Code chapter 22 (2015).

CONSENT ORDER

IT IS THEREFORE ORDERED:

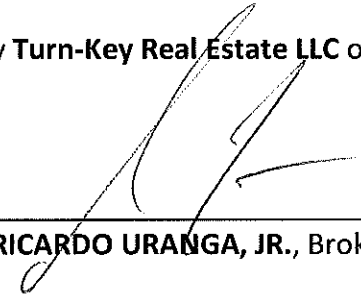
13. CIVIL PENALTY. The Respondent shall pay a civil penalty to the Commission in the amount of one thousand dollars (\$1,000.00) no later than three hundred sixty (360) calendar days after acceptance of this Order by the Commission. The civil penalty must come under a cover letter addressed to the Commission's Executive Officer, referencing Case Number 15-061.

14. FUTURE COMPLIANCE. The Respondent shall at all future times 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 **Turn-Key Real Estate LLC** on this 27 day of MARCH, 2015.




By: **RICARDO URANGA, JR.**, Broker Officer

State of Iowa

County of Black Hawk

Signed and sworn to before me on this 27 day of March, 2015, by:



Notary Public, State of Iowa
Printed Name: Sylvia Hanson
My Commission Expires: Aug 10, 2017



FOR THE COMMISSION:

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this
2ND day of April, 2015.



TERRANCE M. DUGGAN, Chair
Iowa Real Estate Commission

FILED April 24, 2018 (Date)

JREC

Board / Commission

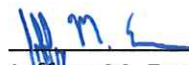
Signature Executive Officer

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

IN THE MATTER OF:)	
	)	CASE NUMBERS: 17-071, 17-097
Ricardo Uranga, Jr.)	
Broker (B56710000)	)	ORDER TO CANCEL
INACTIVE	)	FORMAL HEARING
)	
3093 Rocky Rd)	
Waterloo, IA 50707)	
)	
RESPONDENT)	

The offices of the Iowa Real Estate Commission [Commission] have received a signed settlement agreement from Respondent Ricardo Uranga, Jr. [B56710000]. To permit the Commission an opportunity to review the settlement agreement at the next scheduled meeting, the formal hearing set in this matter is hereby cancelled and the matter will be rescheduled for a future date if deemed necessary.

Dated this 24th day of April 2018.



Jeffrey M. Evans, Executive Officer
Iowa Real Estate Commission

FILED November 4, 2019 (Date)
I.R.E.C.
Board / Commission
M. M. L.
Signature, Executive Officer

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

IN RE:)
Ricardo Uranga, Jr.) **CASE NUMBERS: 17-071, 17-097**
Broker (B56710000)) **ORDER TO REINSTATE LICENSE**
1027 West Parker Street)
Waterloo, IA 50703)
RESPONDENT)

NOW on this 4th day of November 2019, this matter comes before the undersigned Executive Office on behalf of the Iowa Real Estate Commission [Commission]. The Executive Officer finds as follows:

1. Respondent Ricardo Uranga, Jr.'s real estate broker license was suspended indefinitely by the Commission on May 3, 2018 pursuant to the terms of a settlement agreement entered between the parties in this docket on May 3, 2018. The Respondent's real estate broker license lapsed on January 1, 2019, due to the Respondent's failure to renew his license upon its scheduled expiration.

2. Paragraph #12 of the May 3, 2018 settlement agreement conditioned reinstatement of the Respondent's real estate salesperson license upon the Respondent's payment of a \$2,000 civil penalty.

3. On November 4, 2019, the Respondent presented to the Executive Officer proof that he has completed or otherwise fulfilled all conditions required of him by paragraph #12 of the May 3, 2018 settlement agreement for reinstatement of his real estate broker license.

4. The Respondent is now eligible for reinstatement of his suspended real estate broker license and no cause is found at this time to continue the indefinite suspension previously ordered.

IT IS THEREFORE ORDERED that the indefinite suspension of the Respondent's Iowa real estate broker license is hereby ended. The Respondent is now eligible to reinstate his expired real estate broker license to full force and effect pursuant to 193 Iowa Administrative Code rule 3.6. Respondent shall maintain compliance with all other terms of the May 3, 2018 settlement agreement.

Dated this 4th day of November 2019.



Jeffrey M. Evans, Executive Officer
Iowa Real Estate Commission