

FILED September 6, 2018 (Date)

JRG
Board / Commission
[Signature]
Signature, Executive Officer

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

IN RE:)	
)	CASE NUMBER: 17-187
Robin R. Good)	
Broker (B58588000))	COMBINED STATEMENT OF
)	CHARGES, INFORMAL
Robin's Venture, Inc.)	SETTLEMENT AGREEMENT,
205 W Walnut, PO Box 118)	AND CONSENT ORDER IN A
Ogden, IA 50212)	DISCIPLINARY CASE
)	
RESPONDENT)	

The Iowa Real Estate Commission (Commission) and **Robin R. Good** (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) (2018).

1. The Commission issued the Respondent real estate broker license number B58588000 on November 20, 2015. Respondent's license is in full force and effect until December 31, 2020. 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 Robin's Venture, Inc., license number F05841000, located in Ogden, Iowa.

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.

STATEMENT OF CHARGES

COUNT I

3. Respondent is charged with engaging in practices harmful or detrimental to the public and/or failing to diligently exercise reasonable skill and care in providing brokerage services to all parties in violation of Iowa Code sections 543B.29(1)(d), 543B.34(1)(g), 543B.56(1)(a), 543B.56(1)(b) (2017) by failing to deliver to the buyer a complete statement showing all moneys received in the transaction from the buyer and how and for what the same were disbursed. See 193E Iowa Administrative Code §§ 13.2, 13.2(3), 18.14(5)(f)(7).

CIRCUMSTANCES

4. Respondent was assigned as the designated broker in charge of real estate brokerage firm Robin's Venture, Inc. at all times relevant to this matter. 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.

5. In April 2017 Robin's Venture, Inc. had an active listing agreement with the sellers of a residential property located in Boone, Iowa. The Respondent's affiliated salesperson represented the sellers and the buyers were represented by an affiliate of Re/Max Real Estate Concepts Boone, Inc. in an executed purchase agreement dated April 26, 2017. The closing for the transaction was scheduled to take place on May 19, 2017.

6. Before the scheduled closing date, the Respondent closed the transaction on May 18, 2017 without informing Re/Max Real Estate Concepts Boone, Inc., the buyers, and failed to deliver to the buyer or buyer's agent a complete statement showing all moneys received in the transaction from the buyer and how and for what the same were disbursed.

7. The Respondent failed to diligently exercise reasonable skill and care in providing brokerage services to all parties to a transaction by failing to deliver to the buyer or buyer's agent a closing statement for the subject property.

SETTLEMENT AGREEMENT

8. Respondent admits each and every allegation in the above-stated Statement of Charges. This case shall constitute one violation for purposes of Iowa Code section 543B.29(4) (2018).

9. 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 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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 (2018).

CONSENT ORDER

IT IS THEREFORE ORDERED:

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

16. **CIVIL PENALTY.** Respondent shall pay a civil penalty to the Commission in the amount of one thousand dollars (\$1,000.00) no later than twelve (12) months 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 17-187.

17. **EDUCATION.** Respondent shall attend the Commission approved twelve (12) hour course "Listing Practices" and the Commission approved twelve (12) hour course "Developing Professionalism and Ethical Practices." These hours shall be in addition to any real estate continuing education required by law for license renewal. The original certificates of attendance must be submitted to the Iowa Real Estate Commission no later than twelve (12) months after acceptance of this Order by the Commission. The certificates of attendance must come under a cover letter addressed to the Commission's Executive Officer, referencing Case Number 17-187.

18. **FUTURE COMPLIANCE.** The Respondent also 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:

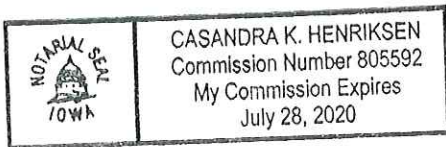
Voluntarily agreed to and accepted by **Robin R. Good** on this 13 day of August, 2018.

Robin R. Good
By: **ROBIN R. GOOD**, Respondent

State of Iowa)

County of Boone)

Signed and sworn to before me on this 13 day of August, 2018, by:



Casandra K. Henriksen
Notary Public, State of Iowa
Printed Name: Casandra K. Henriksen
My Commission Expires: 7-28-20

FOR THE COMMISSION:

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this 6th day of SEPTEMBER, 2018.

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