

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

FILED September 2, 2021 (Date)  
J.R.L.  
Board / Commission  
J.R.L.  
Signature, Executive Officer

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IN RE: )  
 ) CASE NUMBERS: 19-047  
 Danette Raley )  
 Broker (B27263000) ) INFORMAL SETTLEMENT  
 ) AGREEMENT AND CONSENT  
 Raley Investments, Inc. ) ORDER IN A DISCIPLINARY CASE  
 770 Barber Place )  
 Iowa City, IA 52245 )  
 )  
 RESPONDENT )

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The Iowa Real Estate Commission (Commission) and **Danette Raley** (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) (2021).

1. The Commission issued the Respondent real estate broker license number B27263000 on October 31, 2001. 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 Raley Investments, Inc., license number F04933000, located in Iowa City, Iowa.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2021). 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 July 16, 2021, 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) (2021).

4. The Respondent acknowledges that she 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 her 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) (2021) 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 (2021).

### **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 I of the hearing complaint, the Respondent shall pay a civil penalty to the Commission in the amount of five hundred dollars (\$500.00) on or before November 30, 2021. The civil penalty must come under a cover letter addressed to the Commission's Executive Officer, referencing Case Number 19-047. Failure to timely remit the

civil penalty shall be grounds for the immediate suspension or revocation of the Respondent's real estate broker license.

12. 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 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 **Danette Raley** on this 23<sup>rd</sup> day of August, 2021.

Danette Raley  
By: **DANETTE RALEY**, Respondent

State of Florida  
County of Collier

Signed and sworn to before me on this 23 day of August, 2021, by:



Nicholas A. Shim  
State of Florida  
My Commission Expires 06/15/2025  
Commission No. HH 142484

Nicholas A. Shim  
Notary Public, State of Florida  
Printed Name: Nicholas A. Shim  
My Commission Expires: 6-15-2025

**FOR THE COMMISSION:**

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this 2<sup>nd</sup> day of September, 2021.

Dennis L. Stolk  
**DENNIS L. STOLK**, Chair  
Iowa Real Estate Commission

FILED July 16, 2021 (Date)

JRC  
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: 19-047
Danette Raley	)	
Broker (B27263000)	)	NOTICE OF HEARING AND
	)	STATEMENT OF CHARGES
Raley Investments, Inc.	)	
1059 Foster Road	)	
Iowa City, IA 52245	)	
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 (2020). 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 Danette Raley ("Respondent") real estate broker license number B27263000 on October 31, 2001. Respondent's license is in full force and effect until December 31, 2021. At all times relevant to this matter, the Respondent served both as the designated broker in charge and a licensed real estate broker officer for Raley Investments, Inc., license number F04933000, located in Iowa City, 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 2<sup>nd</sup> day of **September, 2021**, at **1:30 o'clock PM**, at 200 East Grand Ave, 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.

EXHIBIT 1

4. **PREHEARING CONFERENCE.** A prehearing conference will be held by telephone on the 26<sup>th</sup> day of August, 2021 at 1:30 o'clock PM 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  
2<sup>nd</sup> Floor, Hoover State Office Building  
Des Moines, Iowa 50319

Phone: 515-281-3658  
[john.lundquist@ag.iowa.gov](mailto:john.lundquist@ag.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 at 515-725-9026.

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

13. Respondent, as the designated broker, is charged with engaging in a practice that is harmful or detrimental to the public by holding her real estate brokerage firm out as being engaged in the business of selling real estate and/or practicing real estate while the real estate firm license was inactive, lapsed, or expired in violation of Iowa Code sections 543B.1, 543B.2, 543B.29(1)(d), 543B.34(1) (2019). See 193E Iowa Administrative Code sections 3.3(2), 7.2(1), 18.2(5), 18.14(5)(s).


#### CIRCUMSTANCES

14. Respondent was assigned as the designated broker in charge of real estate brokerage firm Raley Investments, Inc. at all times relevant to this matter. As the designated broker in charge of the real estate brokerage firm, the Respondent is responsible for ensuring compliance with all applicable rules and regulations governing the firm's operations in the state of Iowa.

15. Pursuant to Commission licensing records, Raley Investments, Inc.'s real estate brokerage firm license expired on December 31, 2018. Subsequently, the Respondent reinstated her Iowa real estate brokerage firm license on February 26, 2019.

16. Between the time period of January 1, 2019 and February 26, 2019, while Raley Investments, Inc.'s real estate firm license was expired, it conducted activities requiring a real estate license in the State of Iowa.

**This Notice of Hearing and Statement of Charges is filed and issued on the 16<sup>th</sup> day of July, 2021.**

  
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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

FILED August 24, 2021 (Date)

IR&C  
Board / Commission  
J.M.E.  
Signature, Executive Officer

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

IN THE MATTER OF:	)	
	)	CASE NUMBER: 19-047
Danette Raley	)	
Broker (B27263000)	)	ORDER TO CANCEL
	)	FORMAL HEARING
Raley Investments, Inc.	)	
1059 Foster Road	)	
Iowa City, IA 52245	)	
	)	
RESPONDENT	)	

The offices of the Iowa Real Estate Commission [Commission] have received a signed settlement agreement from Respondent Danette Raley [B27263000]. 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 24<sup>th</sup> day of August 2021.

J.M.E.  
Jeffrey M. Evans, Executive Officer  
Iowa Real Estate Commission