

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD

IN THE MATTER OF:

Robert Crane

Respondent

Case No. 20-42

RELEASE FROM CONSENT ORDER

The Iowa Real Estate Appraiser Examining Board, having reviewed the records in the above-captioned file, finds that Respondent has complied with the terms of its consent order and should be released. The Board voted unanimously to release Respondent from its consent order on January 27, 2021.

IT IS THEREFORE ORDERED that the Respondent is released.

B March

Brandy March, MPA, CPM

Executive Officer

Iowa Real Estate Appraiser Examining Board

200 East Grand Avenue, Suite 350

Des Moines, IA 50309

Email: brandy.march@iowa.gov

IN THE MATTER OF:

ROBERT CRANE,
CG01375

RESPONDENT

Case No. 20-42

COMBINED STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT

FILED 1/27/2021 (DATE)

REAP
Board / Commission

B March
Signature, Executive Officer

Department of Commerce
Division of Banking

REAP
Board / Commission

B March
Signature, Executive Officer

A. Statement of Charges

1. The Iowa Real Estate Appraiser Examining Board (“Board”) has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543D (2020).
2. Respondent is a certified general real estate appraiser in Iowa. He was issued Certificate No. CG01375 on February 10, 1992.
3. Certificate No. CG01375 is currently valid and scheduled to expire on June 30, 2022.
4. On July 27, 2020, Respondent submitted an renewal application to renew Certificate No. CG01375.
5. As part of the renewal application, Respondent choose the 90-day allowance option offered to licensees in accordance with the Proclamation of Disaster Emergency, § 3-15 (Date April 2, 2020) and the Board Guidance issued on April 29, 2020 and as revised on July 30, 2020, in which a licensee who is up for renewal and has had a COVID related circumstance may receive an additional ninety (90) days after the extended renewal deadline of July 31, or until October 29, 2020, to take and obtain the continuing education that would have otherwise been due at the time of the Respondent’s renewal.
6. On November 3, 2020, Board staff requested Respondent provide proof of continuing education.
7. Respondent failed to provide proof of continuing education.
8. Respondent has failed to show compliance with the continuing education requirements necessary for renewal under Iowa Code § 543D.16 and Iowa Administrative Code rule 193F—11.2.
9. The Board charges Respondent with the following:
 - a) Professional misconduct by not complying with Iowa Code § 543D.16 and Iowa Administrative Code rule 193F—11.2, which is a violation of a regulation or law of this state which relates to the practice of real estate appraising, in violation of Iowa Administrative Code rule 193F—7.3(7)(b).
 - b) Lack of proper qualification by continuing to practice as a certified real property appraiser without satisfying the continuing education required for certificate renewal, in violation of Iowa Administrative Code rule

193F-7.3(5)(a)

10. The Board and Respondent have agreed to fully resolve these charges through the following Settlement Agreement, rather than proceed to a contested case hearing.

11. In signing this Settlement Agreement, Respondent admits the underlying facts and conduct alleged by the Board in this case, and admits to a violation of the underlying statutory provisions and rules charged by the Board in this Statement of Charges.

B. Settlement Agreement

1. Respondent has a right to a hearing on the charges. However, by freely and voluntarily entering into this Settlement Agreement, Respondent waives Respondent's right to hearing and all attendant rights, including the right to appeal to the superintendent and seek judicial review.

2. This Settlement Agreement constitutes discipline against Respondent pursuant to and in accordance with Iowa Administrative Code rule 193F-20.42, and, subject to Iowa Administrative Code rule 193F-17.2(4), is the final agency action in a contested case pursuant to Iowa Code section 17A.10 and Iowa Administrative Code rule 193F-20.42.

3. Respondent acknowledges that Respondent had the opportunity to consult with counsel before agreeing to this Settlement Agreement.

4. Respondent agrees the State's counsel may present this Settlement Agreement to the Board and may have ex parte communications with the Board while presenting it.

5. This Settlement Agreement shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future penalty or sanctions to be imposed in the event of any future violations of the laws, rules, or standards administered by the Board.

6. This Combined Statement of Charges and Settlement Agreement is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22, and will be posted to the Board's public-facing online disciplinary index and reported to and posted on the Appraisal Subcommittee (ASC) National Registry.

7. Failure to comply with the provisions of this Settlement Agreement shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a).

8. This Settlement Agreement is subject to approval of the Board:

- a) If the Board fails to approve this Settlement Agreement, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter;
- b) If the Board approves this Settlement Agreement, it shall take effect upon the date of last signature, below, and govern the issues of or related to this matter.

9. This Settlement Agreement shall not preclude the Board from taking additional action against Respondent should Respondent violate the laws, rules, or standards or practice administered by the Board in the future.

IT IS THEREFORE ORDERED:

A. Education

1. Respondent shall provide the Board with twenty-eight (28) hours of continuing education course certificates, of which seven (7) of the twenty-eight (28) hours is the 7-hour USPAP update course, taken between the dates of July 1, 2018 and October 29, 2020.

2. If Respondent cannot document the twenty-eight (28) hours of continuing education described in A(1) above, Respondent may choose to provide the Board with forty-two (42) hours of continuing education course certificates taken between the dates of July 1, 2018 and December 31, 2020, of which seven (7) of the forty-two (42) hours is the 7-hour USPAP update course.

B. Suspension

1. The Respondent's certified general real estate appraiser certificate no. CG01375 shall be suspended indefinitely commencing on January 1, 2021, pending submission of the course completion certificates required in A(1) or A(2) of this settlement agreement and statement of charges entered between the Respondent and the Board. If Respondent submits course completion certificates required in A(1) or A(2) of this settlement agreement and statement of charges after January 1, 2021, but before June 30, 2021, along with the reinstatement fee as provided in Iowa Administrative Code chapter 193F—12, then the respondent's certification shall be reinstated in accordance with Iowa Administrative Code rule 193F—9.4(2).

2. Should Respondent not provide the course completion certificates by June 30, 2021, Respondent shall include the then current continuing educational hours for each year in which certificate no. CG01375 remains suspended prior to the certification being reinstated.

Case No. 20-42

AGREED AND ACCEPTED:

Respondent

Iowa Real Estate Appraiser Examining Board

Robert Crane

Robert Crane

Dan Fuhrmeister, Chair

12/31/20

Date

Date

IT IS THEREFORE ORDERED:

A. Education

1. Respondent shall provide the Board with twenty-eight (28) hours of continuing education course certificates, of which seven (7) of the twenty-eight (28) hours is the 7-hour USPAP update course, taken between the dates of July 1, 2018 and October 29, 2020.

2. If Respondent cannot document the twenty-eight (28) hours of continuing education described in A(1) above, Respondent may choose to provide the Board with forty-two (42) hours of continuing education course certificates taken between the dates of July 1, 2018 and December 31, 2020, of which seven (7) of the forty-two (42) hours is the 7-hour USPAP update course.

B. Suspension

1. The Respondent's certified general real estate appraiser certificate no. CG01375 shall be suspended indefinitely commencing on January 1, 2021, pending submission of the course completion certificates required in A(1) or A(2) of this settlement agreement and statement of charges entered between the Respondent and the Board. If Respondent submits course completion certificates required in A(1) or A(2) of this settlement agreement and statement of charges after January 1, 2021, but before June 30, 2021, along with the reinstatement fee as provided in Iowa Administrative Code chapter 193F—12, then the respondent's certification shall be reinstated in accordance with Iowa Administrative Code rule 193F—9.4(2).

2. Should Respondent not provide the course completion certificates by June 30, 2021, Respondent shall include the then current continuing educational hours for each year in which certificate no. CG01375 remains suspended prior to the certification being reinstated.

Case No. 20-42

AGREED AND ACCEPTED:

Respondent

Iowa Real Estate Appraiser Examining Board

Robert Crane
Robert Crane

Dan Fuhrmeister, Chair

12/31/20

Date

Date

IT IS THEREFORE ORDERED:

A. Education

1. Respondent shall provide the Board with twenty-eight (28) hours of continuing education course certificates, of which seven (7) of the twenty-eight (28) hours is the 7-hour USPAP update course, taken between the dates of July 1, 2018 and October 29, 2020.

2. If Respondent cannot document the twenty-eight (28) hours of continuing education described in A(1) above, Respondent may choose to provide the Board with forty-two (42) hours of continuing education course certificates taken between the dates of July 1, 2018 and December 31, 2020, of which seven (7) of the forty-two (42) hours is the 7-hour USPAP update course.

B. Suspension

1. The Respondent's certified general real estate appraiser certificate no. CG01375 shall be suspended indefinitely commencing on January 1, 2021, pending submission of the course completion certificates required in A(1) or A(2) of this settlement agreement and statement of charges entered between the Respondent and the Board. If Respondent submits course completion certificates required in A(1) or A(2) of this settlement agreement and statement of charges after January 1, 2021, but before June 30, 2021, along with the reinstatement fee as provided in Iowa Administrative Code chapter 193F—12, then the respondent's certification shall be reinstated in accordance with Iowa Administrative Code rule 193F—9.4(2).

2. Should Respondent not provide the course completion certificates by June 30, 2021, Respondent shall include the then current continuing educational hours for each year in which certificate no. CG01375 remains suspended prior to the certification being reinstated.

Case No. 20-42

AGREED AND ACCEPTED:

Respondent

Iowa Real Estate Appraiser Examining Board

Robert Crane
Robert Crane

B. March for
Dan Fuhrmeister, Chair

12/31/20
Date

1/27/2021
Date