

FILED 2-9-23 (Date)

IREC

Board / Commission

Signature, Executive Officer

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

IN RE:)
) CASE NUMBER: 22-325
Julie A. Fischer)
Salesperson (S33994000)) CONSENT AGREEMENT AND ORDER
)
Premier Realty Group, Inc.)
310 South Floyd Blvd.)
Sioux City, IA 51101)
)
APPLICANT)

The Iowa Real Estate Commission (Commission) and **Julie A. Fischer** (Applicant) enter into this Consent Agreement (Agreement) pursuant to Iowa Code Sections 17A.10, 272C.3(4) and 543B.19.

1. The parties acknowledge the following:

- (A) On or about November 16, 2022, the Applicant submitted an application (Application) electronically to the Commission for renewal of her Iowa real estate salesperson license. On the Application, the Applicant answered "no" to question 2.2 by stating that since the date of her last renewal, she had not been subject to disciplinary action by any state board or similar licensing body.
- (B) On or about November 29, 2022, the Applicant submitted an application (Application) electronically to the Commission for her Iowa real estate broker conversion license. On the Application, the Applicant answered question 2.4 by stating "yes" that she has been subject to disciplinary action by another state board or similar licensing body.
- (C) In explanation of her response to question 2.4, the Applicant disclosed on the Application that she entered into a Settlement Agreement and Order with the Board of Educational Examiners of the state of Iowa on July 21, 2021.
- (D) An applicant for a salesperson renewal and an applicant for a real estate broker's license who has had a professional license of any kind revoked or suspended or who has had any other form of discipline imposed, in this or any other jurisdiction, may be denied a license by the Commission on the ground of the revocation, suspension, or other discipline. See Iowa Code § 543B.15(4).

- (E) The Commission, when considering the denial of a license, shall consider the nature of the offense that led to previous license discipline; any documented aggravating or extenuating circumstances; the time lapsed since the revocation or conduct; the rehabilitation, treatment, or restitution performed by an applicant; and any other factors the Commission deems relevant. See Iowa Code § 543B.15(6).

2. CIVIL PENALTY. In recognition of the material false statements submitted to the Commission as detailed above in subparagraphs 1-A, the Applicant voluntarily agrees that as a condition for renewing her Iowa real estate salesperson license, the Applicant shall pay to the Commission a civil monetary penalty in the amount of five hundred dollars (\$500.00) within thirty (30) days of the Commission's approval of this Agreement.

4. PROBATION. The Applicant voluntarily agrees that she shall be granted her broker conversion license subject to probation for the time period of the next license term, through December 31, 2026. Should the Applicant commit any violation of law governing the practice of real estate in the state of Iowa during the pendency of the probationary period, the Commission shall have the right to revoke and/or deny the renewal of the Applicant's real estate broker license following notice of the alleged violation and opportunity for hearing before the Commission.

5. NOTIFICATION. The Applicant shall notify the Commission of the entry of any final order imposing discipline by a professional licensing authority within 15 days as required by 193E Iowa Administrative Code § 5.11. Should the Respondent fail to timely report the entry of any such disciplinary order, the Commission shall have the right to revoke and/or deny the renewal of the Respondent's real estate broker license following notice of the alleged violation and opportunity for hearing before the Commission.

6. Provided that the Applicant can demonstrate she meets all other licensing requirements, including payment of the applicable licensing fee, the Applicant shall be issued an Iowa real estate broker license that is in full force and effect through December 31, 2026, subject to the above probationary term.

7. By entering into this Agreement, the Applicant acknowledges and voluntarily waives her right to adjudicate the merits of her pending broker conversion application for a real estate broker license through the commencement of a contested case proceeding before the

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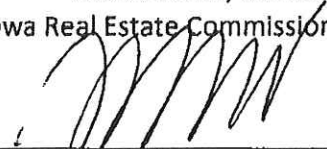
Commission, and all rights attendant to a contested case proceeding including the right to seek judicial review of the Commission's actions.

6. This Agreement shall be made a part of the record of the Applicant and may be considered by the Commission in determining the nature and severity of any disciplinary action to be imposed on the Applicant for any future violations of the laws and rules governing the practice of real estate.

7. The Applicant voluntarily submits this Agreement to the Commission for its consideration. This Agreement is not binding on the Iowa Real Estate Commission until it has been formally approved. If the Commission fails to approve this Agreement, it shall be of no force or effect on either party.

8. This Agreement shall be public record. The Applicant further agrees to fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

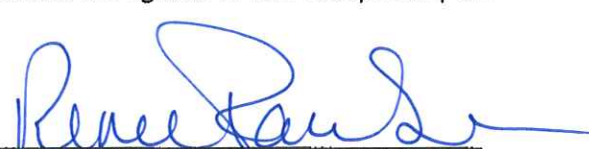
WHEREFORE, the terms of this Consent Agreement are agreed to and accepted by the Iowa Real Estate Commission and the Applicant.



JULIE A. FISCHER
Applicant

2-9-23

Date



RENEE PAULSEN, Authorized Designee
Iowa Real Estate Commission

2-9-23

Date