

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

IN RE: )  
 )  
 ) **CASE NUMBER: 18-153**  
Kevin K. Veatch )  
 )  
 ) **COMBINED STATEMENT OF**  
Broker Associate (B15961000) ) **CHARGES, INFORMAL**  
 ) **SETTLEMENT AGREEMENT,**  
Bridge City Realty, Inc. ) **AND CONSENT ORDER IN A**  
301 W. 4<sup>th</sup> Street ) **DISCIPLINARY CASE**  
Ottumwa, IA 52501 )  
 )  
RESPONDENT )

The Iowa Real Estate Commission (Commission) and **Kevin Veatch** (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).

1. The Commission issued the Respondent real estate broker license number B15961000 on March 12, 1985. Respondent's license is current and in full force and effect through December 31, 2023. At all times relevant to this matter, the Respondent was a licensed real estate broker associate assigned to First Choice Realtors, Inc., a previously licensed real estate firm, license number F05521000, located in Ottumwa, Iowa.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B. 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 a practice harmful or detrimental to the public by conduct which demonstrates bad faith, or improper, fraudulent or dishonest dealings and/or being unworthy to act as a real estate broker associate in such manner as to safeguard the interests of the public in violation of Iowa Code sections 543B.29(1)(d), 543B.34(1)(h), 543B.56(1)(a), 543B.56(1)(b) by giving false information regarding the purchase price of a property and failing to report money that was given outside of the closing from the buyer to the seller. See 193E Iowa Administrative Code sections 18.14(5) (f) (6), 18.14(5).

#### CIRCUMSTANCES

4. The Respondent acted as a dual agent for a property located in Ottumwa, Iowa.

5. The Respondent gave false information regarding the purchase price of a subject property located in Ottumwa, Iowa. In February of 2018, the subject property closed. The closing documents indicated a \$35,000 purchase price. Consequently, the purchase price was \$47,000 with \$12,000 in cash given by the buyer to the seller after closing. There was not proper documentation found in the transaction paperwork to reflect this payment.

6. In June of 2018, the Respondent again listed the same subject property and acted as dual agent. The Respondent gave false information regarding the purchase price of the property located in Ottumwa, Iowa. The closing documents indicated a \$58,000 purchase price. Consequently, the purchase price was \$70,000 with \$12,000 in cash given by the buyer to the seller after closing. There was not proper documentation found in the transaction paperwork to reflect this payment.

7. The Respondent signed and computed improper closing statements for his clients. The Respondent failed to diligently exercise reasonable skill and care in providing brokerage services.

#### SETTLEMENT AGREEMENT

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

9. Respondent acknowledges that he 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 his 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) 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 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.

#### **CONSENT ORDER**

#### **IT IS THEREFORE ORDERED:**

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

16. **PROBATION.** Respondent's real estate broker associate license shall be on probation for a period of no less than three (3) years. The three (3) year license probation shall commence upon the date this Order is accepted by the Commission.

17. **EDUCATION.** Respondent shall attend 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 Iowa law for license renewal. The original certificate of attendance must be submitted to the Commission. The certificate of attendance shall come under a cover letter addressed to the Commission's Executive Officer, referencing Case Number 18-153.

18. 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 **Kevin Veatch** on this 21<sup>st</sup> day of JULY, 2023.

  
By: **KEVIN VEATCH**, Respondent

State of Iowa )

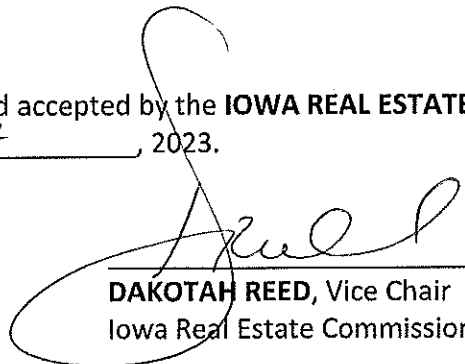
County of Wapello )

Signed and sworn to before me on this 21 day of July, 2023, by:

  
Notary Public, State of IOWA  
Printed Name: James M. H. Clingman  
My Commission Expires: 11-7-2024

**FOR THE COMMISSION:**

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this 3 day of August, 2023.

  
**DAKOTAH REED**, Vice Chair  
Iowa Real Estate Commission