

FILED 6.6.2024 (Date)

Real Estate
Board / Commission
Ashley Thompson
Signature, Executive Officer

**BEFORE THE IOWA REAL ESTATE COMMISSION
6200 PARK AVENUE, SUITE 100
DES MOINES, IOWA 50321**

IN RE:)	
)	CASE NUMBER: 24-006
Ryan Patrick Hines)	
Salesperson (S66302000))	COMBINED STATEMENT OF
)	CHARGES, INFORMAL
ARE Iowa, LLC)	SETTLEMENT AGREEMENT,
900 Woodbury Ave.)	AND CONSENT ORDER IN A
Council Bluffs, IA 51503)	DISCIPLINARY CASE
)	
RESPONDENT)	

The Iowa Real Estate Commission (Commission) and **Ryan P. Hines** (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 salesperson license number S66302000 on March 1, 2018. Respondent's license is current and in full force and effect through December 31, 2026. At all times relevant to this matter, the Respondent was a licensed real estate salesperson assigned to ARE Iowa, LLC, a licensed real estate firm, license number F06014000, located in Council Bluffs, 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. The Respondent is charged with failing to timely notify the Commission of disciplinary action taken against him by another licensing jurisdiction in violation of Iowa Code sections 543B.29 and 543B.34. See 193E Iowa Administrative Code rules 5.11, 18.2(1), 18.14(5)(s).

COUNT II

4. The Respondent is charged with making a false statement of material fact on an application for a real estate broker's or salesperson's license, or who causes to be submitted, or has

been a party to preparing or submitting any false application for such license, may be denied a license by the commission on the grounds of the false statement's submission. Violation of Iowa Code 543B.15(5)

CIRCUMSTANCES

5. The Respondent's Nebraska real estate license was disciplined through a Stipulation and Consent Order he entered with the State of Nebraska Real Estate Commission of the State on October 12, 2023.

6. 193E Iowa Administrative Code rule 5.11 provides that a licensed real estate broker or salesperson shall notify the commission of any disciplinary action taken by another state or jurisdiction within 15 days of the adverse action.

7. The Respondent first notified the Commission of the adverse disciplinary action taken against his Nebraska real estate license on December 13, 2023; 62 days after the disciplinary action was taken.

8. During the investigation, it was also founded that the Respondent had been disciplined by the Nebraska Real Estate Commission on December 29, 2020; which he neglected to disclose at all to the Iowa Commission.

9. Also, during the investigation, it was founded that the Respondent neglected to disclose three separate criminal charges that should have been disclosed on his original salesperson application dated March 1, 2018 and/or on his first renewal application dated November 17, 2020.

10. Accurate and truthful attestation on one's renewal application is essential to the Commission's determination of whether an applicant meets all requirements for renewing an Iowa real estate license. See Iowa Code § 543.15(5). The Respondent's failure to accurately report his disciplinary actions and criminal history on his renewal application constituted a false statement of material fact.

SETTLEMENT AGREEMENT

11. 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).

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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:

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

19. **CIVIL PENALTY.** The Respondent shall pay a civil penalty to the Commission in the amount of one thousand dollars (\$1000.00) no later than six months (6) 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 24-006.

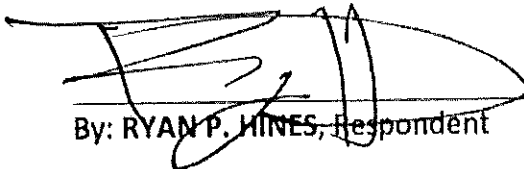
20. PROBATION. Respondent's license as an Iowa Real Estate Salesperson is placed on probation beginning on the date this agreement is signed by both parties and ending on December 31, 2026. Respondent is directed to adhere to all applicable statutes and administrative rules in the practice of real estate, including the requirement that the Respondent will notify the Commission within 15 days of any future disciplinary action in another jurisdiction and that any future disciplinary action is disclosed during license renewal.

21. 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:

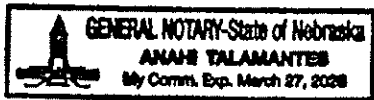
Voluntarily agreed to and accepted by **Ryan P. Hines** on this 31 day of May, 2024.


By: **RYAN P. HINES**, Respondent

Nebraska
State of Sarpy

County of Sarpy

Signed and sworn to before me on this 31 day of May, 2024, by:



Anahi Talamantes
Notary Public, State of Nebraska
Printed Name: Anahi Talamantes
My Commission Expires: March 27, 2028

FOR THE COMMISSION:

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this 6th day of June, 2024.

IREC Case No. 24-006
Ryan P. Hines



JAMES M.H. CLINGMAN, Chair
Iowa Real Estate Commission