

BEFORE THE IOWA REAL ESTATE COMMISSION

STATE CAPITOL
DES MOINES, IOWA

IOWA REAL ESTATE COMMISSION)	
)	
Complainant,)	
)	
vs.)	
)	FINDINGS OF FACT,
HAWKEYE FARM SERVICE AND REALTY INC.)	
(#F00584))	CONCLUSIONS OF LAW
Broker-Respondent,)	
)	and ORDER
FRANCIS C. PRENDERGAST (#B08008))	
)	
Broker-Respondent,)	
)	
MARCELLA M. PRENDERGAST (#B08009))	
)	
Broker-Respondent.)	

COMES NOW the Iowa Real Estate Commission and states:

1. That by virtue of its authority under Section 117 of the Code of Iowa, the Iowa Real Estate Commission conducted a hearing on January 21, 1983, to determine whether the real estate brokers licenses of Hawkeye Farm Service and Realty Inc., Francis C. Prendergast, and Marcella M. Prendergast should be suspended or revoked.

2. That at the hearing the Iowa Real Estate Commission was represented by Assistant Attorney General, Frank Thomas. Marcella M. Prendergast and to the extent of her interest Hawkeye Farm Service and Realty Inc. were represented by Jeffrey A. Krausman and Francis C. Prendergast and to the extent of his interest Hawkeye Farm Service and Realty Inc. appeared pro se.

3. That a full presentation was made by all parties relative to the matters set forth in the complaint issued by the Real Estate Commission dated December 22, 1982.

4. That the Iowa Real Estate Commission by unanimous vote found that Hawkeye Farm Service and Realty Inc., Francis C. Prendergast and Marcella M. Prendergast guilty of violating Sections 117.29(3), 117.34(7), 117.34(8), 117.46(1) and 117.46(4) of the 1981 Code of Iowa.

THEREFORE it is ordered by the Iowa Real Estate Commission as follows:

1. That the real estate brokers license of Hawkeye Farm Service and Realty Inc., Francis C. Prendergast, and Marcella M. Prendergast be and the same are hereby suspended for a period of one year from

and after the date of execution of this Order.

Further that the one year suspension be suspended with the entire period to be served on probation.

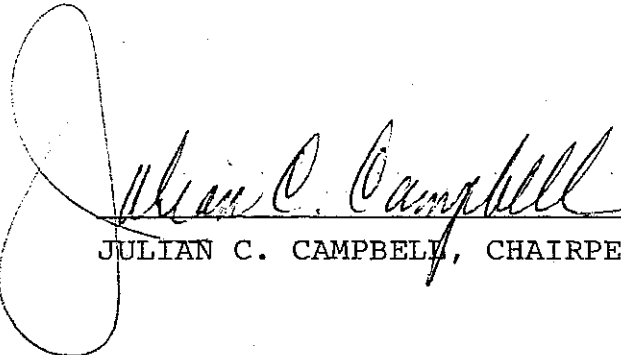
2. That within six months of the date of execution of this Order Francis C. Prendergast and Marcella M. Prendergast must each complete a six hour continuing education course approved by the Iowa Real Estate Commission which course is primarily oriented towards trust account law and trust account accounting procedures.

3. That the education course defined in #2 above shall be in addition to any continuing education requirement necessary for license renewal.

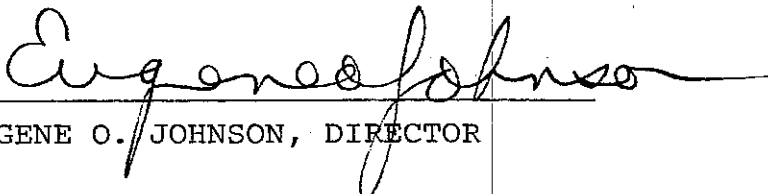
4. That the staff of the Iowa Real Estate Commission shall during the one year probationary period examine the records of Hawkeye Farm Service and Realty Inc., Francis C. Prendergast, and Marcella M. Prendergast on no less than a quarterly basis.

5. That Francis C. Prendergast and Marcella M. Prendergast take immediate steps to conduct their personal affairs in such a manner so as not to endanger the public.

Executed this 31ST day of JAN 1983.


JULIAN C. CAMPBELL, CHAIRPERSON

ATTEST:


EUGENE O. JOHNSON, DIRECTOR