

**BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD  
OF THE STATE OF IOWA**

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IN THE MATTER OF:	)	
Kent E. Amsberry	)	CASE NO. 00-52 and 01-32
	)	
CERTIFICATE NO. CR01735	)	STATEMENT OF CHARGES
	)	
RESPONDENT	)	

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COMES NOW, the Complainant Susan A. Griffel, and states:

1. She is the Executive Officer of the Iowa Real Estate Appraiser Examining Board and files this Complaint solely in her official capacity.
2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 543D, 272C(2001).
3. On January 25, 1993, Kent E. Amsberry, the Respondent, was issued an Iowa Real Estate Appraiser Certificate by the Board.
4. On February 20, 2001 the Board filed a Statement of Charges against the Respondent, charging him with violations of the Uniform Standards of Professional Appraisal Practice (USPAP) in the practice of real estate appraising.
5. On March 22, 2001, the Board executed a Settlement Agreement and Consent Order (Order), a true copy of which is attached. The Respondent signed the Consent Order on March 20, 2001. The Order required Respondent to submit all appraisals to a pre-release desk review process commencing April 2, 2001.
6. The Board did not receive a proposed desk review agreement until May 11, 2001. Respondent improperly issued appraisal reports to clients before the desk review agreement was submitted to the Board. The Board has never received a pre-release desk review report, although Respondent has issued in excess of 20 appraisal reports since April 2, 2001. The Board has received a small number of reviews that were not performed until after the reports had been issued to clients.
7. Respondent is in violation of the March, 2001 Consent Order.

8. In October, 2001 the Board received a complaint regarding an appraisal issued by the Respondent in August, 2001, concerning property located at 515 S. Freeman in Indianola, IA.

9. The Indianola appraisal was not subjected to pre-release desk review. The appraisal fails to comply with applicable USPAP provisions.

10. In particular, Respondent committed substantial errors and acted negligently and carelessly in the development of the appraisal in violation of Standards 1-1(b) and 1-1(c).

11. All certified appraisers must comply with USPAP, pursuant to Iowa Code section 543D.18(1) (2001), and 193F IAC 7.1(5).

12. The Board may suspend or revoke a certificate or take other appropriate discipline based on a certificate holder's failure to comply with a Board order imposing discipline, pursuant to Iowa Code section 272C.3(2)(a)(2001).

#### **COUNT I**

The Respondent is charged with failure to comply with a Board order imposing discipline in violation of Iowa Code section 272C.3(2)(a)(2001).

#### **COUNT II**

The Respondent developed an appraisal in a negligent or careless fashion, and in violation of USPAP Standards, in violation of Iowa Code sections 543D.17(1)(d), (e), and (f), and 543D.18(1), and 193F IAC—7.1(5).

WHEREAS, the Complainant prays that a hearing be held in this matter and that the Board take such action as it deems appropriate under the law.

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Susan A. Griffel, Executive Secretary  
Complainant

On this 16th day of October, 2001, the Iowa Real Estate Appraisal Examining Board found probable cause to file this complaint and to order a hearing in this case.

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Sharon L. Chism, Chair  
Iowa Real Estate Appraiser Examining Board