

BEFORE THE IOWA REAL ESTATE COMMISSION  
1918 S.E. HULSIZER  
ANKENY, IOWA

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IN RE: \*

JAMES W. BIENIUS (B00211) \* CASE NO. 90-016  
Broker

\*

2207 17th Street  
Emmetsburg, IA 50536 \*

JAMES J. BIENIUS (S09033) \* INFORMAL SETTLEMENT  
403 South Main  
Schaller, IA 51053 \*

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Pursuant to Iowa Code Section 17A.10 (1991) and 193E Iowa Admin. Code § 4.12(117), this informal settlement is entered into between James W. Bisenius, James J. Bisenius and the Iowa Real Estate Commission. The parties agree as follows:

1. The Commission has jurisdiction of this matter under Iowa Code Chapters 17A, 117 and 158A (1991) as well as the regulations found in Chapter 193E of the Iowa Admin. Code.

2. James W. Bisenius is, and was at all times material hereto, a licensed real estate broker. His license number is (B00211). His business address is 2207 17th Street, Emmetsburg, IA 50536.

3. James J. Bisenius is, and was at all times material hereto, a licensed real estate sales person. His license number is (S09033) and he is associated with Broker, James W. Bisenius. James J. Bisenius advertised a real estate office Schaller, Iowa and handled closing of real estate transactions in that office.

90-016

4. 193E Iowa Admin. Code § 2.14(3) states:

Branch office. A resident Iowa real estate firm or proprietor maintaining a branch office shall display two branch office licenses in that location. One branch office license is issued in the name of the firm or proprietor and one is issued in the name of the designated broker or broker associate assigned to supervise the branch office. (Exception: The proprietor who supervises a branch office location is required to display only one branch office license in that location.) The main office and every branch office shall be directly supervised by a broker or broker associate assigned to that location as the broker-in-charge. No broker or associate broker shall be the broker-in-charge in more than one location.

STIPULATED ORDER

IT IS THEREFORE ORDERED, adjudged and decreed by the Iowa Real Estate Commission as follows:

1. James W. Bisenius and James J. Bisenius have a right to a hearing on this matter, but waive the right to a hearing and all attended rights by freely entering into this informal settlement.

2. James W. Bisenius and James J. Bisenius shall each complete twelve (12) hours of real estate continuing education in "Iowa Real Estate License Law and Commission Rules" within twelve (12) months of the signing of this informal settlement. That will be taken in addition to all other real estate education hours required by law. Proof of compliance must be submitted to

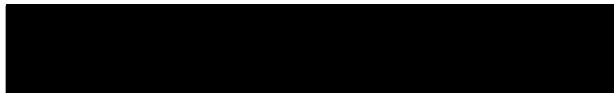
the Iowa Real Estate Commission within thirteen (13) months of the signing of this informal settlement by the Commission. A certificate of attendance must come under a cover letter addressed to the Commission's Executive Secretary and must refer to case number 90-016.

3. James W. Bisenius and James J. Bisenius are hereby reprimanded.

4. This informal settlement is subject to the approval of the Commission. If the Commission fails to approve this agreement, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter. If approved by the Commission, this agreement shall be deemed and agreed upon disposition of a contested case proceeding and will dispose of all matters contained in case number 90-016.

FOR THE BROKER:

Dated this 19th day of March, 1991.



James W. Bisenius

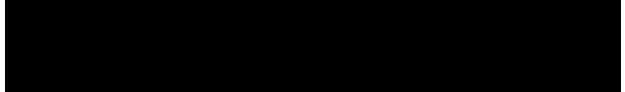
Signed and sworn to before me this 19th day of March, 1991.



Notary Public, State of Iowa  
Maxine Lashbrook

FOR THE SALES PERSON:

Dated this 21st day of March, 1991.



James J. Bisenius

Signed and sworn to before me this 21st day of March, 1991.



Notary Public, State of Iowa

FOR THE COMMISSION:

Dated this 20<sup>th</sup> day of April, 1991.



E. Joe Ann Lutz, Chairperson

Executed this 27<sup>th</sup> day of April, 1991.



K. Marie Thayer  
Administrator