

BEFORE THE IOWA REAL ESTATE COMMISSION
1918 SE HULSIZER
ANKENY, IOWA

IN RE:)
)

STEPHEN BOCK (S2699500))
Salesperson)

CASE NUMBER: 99-095

STATEMENT OF
CHARGES

REMAX REAL ESTATE CENTER)
1606 S DUFF AVE #100)
AMES, IA 500108026)

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B, and 272C (1999).

Licenses issued by the Commission are subject to the laws of the state of Iowa and to the administrative rules of the Commission.

STEPHEN BOCK was at all material times during the following events, a licensed real estate salesperson with Lee R. Matson, a licensed real estate broker, license number B12758, d/b/a Remax Real Estate Center, license number T02499, in Ames, Iowa. His license, number S26995, is in full force and effect through 12-31-2001.

COUNT I

Respondent is charged with engaging in a practice harmful or detrimental to the public by independently preparing a rental agreement on a property without the written permission of the owner, and accepting a commission as a real estate salesperson from a person other than his sponsoring broker, in violation of Iowa Code sections 543B29(3) (practice harmful or detrimental to the public) and 543B.34(5) and (8)(1999) and 193E IAC sections 1.43(1), 2.16(543B) and 4.54(14) and (19).

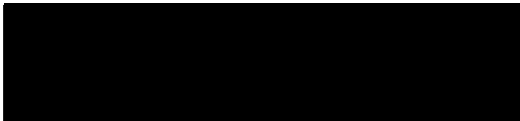
CIRCUMSTANCES OF THE COMPLAINT

1. On or about June 29, 1999, Respondent listed the property owned by Jeff and Jean Johnson located at 207 Matthew, Gilbert, Iowa for \$92,000.
2. On or about August 23, 1999, without the knowledge or written authorization of the owners, the Respondent prepared a Dwelling Rental Agreement for H. Frishman on the property located at 207 Matthew, Gilbert, Iowa.
3. In connection with the preparation of the rental agreement, the Respondent received \$300.00 from H. Frishman.
4. Instead of turning the money over to his broker as required, the Respondent deposited it into his personal checking account.
5. The Respondent's sponsoring broker was not aware of the Respondent's activities relating to the rental agreement.

FINDING OF PROBABLE CAUSE

On January 27, 2000 the Iowa Real Estate Commission found probable cause to file this Statement of Charges and to order that a hearing be set in this case.

Executed this 29th day of JUNE, 2000.


Roger L. Hansen, Executive Secretary
Iowa Real Estate Commission

BEFORE THE IOWA REAL ESTATE COMMISSION
1918 SE HULSIZER
ANKENY, IOWA

IN RE:)	
)	
STEPHEN BOCK (S26995))	CASE NUMBER: 99-095
Salesperson)	
)	STIPULATION AND
)	CONSENT ORDER
REMAX REAL ESTATE CENTER)	
1606 S DUFF AVE #100)	
WEST DES MOINES, IA 502661007)	

On this 29th day of JUNE, 2000, the Iowa Real Estate Commission and STEPEHN BOCK, each hereby agree with the other and stipulate as follows:

1. The allegations specified in the Statement of Charges in this case shall be resolved without proceeding to hearing as the parties have agreed to the following Stipulation and Consent Order.

2. The Respondent has a right to a hearing on the charges, but waives the right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

3. The Respondent was issued a salesperson license to practice real estate on June 25, 1987 as evidenced by license number S26995, which is in full force and effect through December 31, 2001.

4. The Iowa Real Estate Commission has jurisdiction over the parties and subject matter jurisdiction over each allegation in the Statement of Charges.

5. A Statement of Charges will be filed against Respondent together with this voluntary Stipulation and Consent Order.

6. The Respondent admits each and every allegation in the Statement of Charges.

7. If this Stipulation and Consent Order is approved by the Commission it will be filed, along with the Statement of Charges, and upon filing both documents will become public records.

99-095

8. This Stipulation and Consent Order shall be made a part of the record of the Respondent and may be considered by the Commission in determining the nature and severity of any disciplinary action to be imposed on the Respondent for any future violations of the laws and rules governing the practice of real estate.

9. Failure to comply with the terms of this Stipulation and Consent Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a) (1999).

10. This Stipulation and Consent Order shall be presented to the Commission in closed session by the prosecuting attorney and/or Commission staff. Respondent waives any right of notice of this meeting or any right which the Respondent might have to participate in the discussion of this Stipulation and Consent Order among the Commission, the Commission staff and the prosecuting attorney.

11. This Stipulation and Consent Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members. In the event that this Stipulation and Consent Order is rejected by the Commission it shall be of no force or effect to either party.

THEREFORE IT IS ORDERED that the Respondent is **Reprimanded**.

IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty in the amount of \$ 1000.00 to the Commission within thirty (30) days of acceptance of this Stipulation and Consent Order by the Commission. The civil penalty must be submitted to the Iowa Real Estate Commission under a cover letter addressed to the Commission's Executive Secretary and must refer to case 99-095.

IT IS FURTHER ORDERED AND AGREED that at all future times Respondent shall fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

FOR THE RESPONDENT:

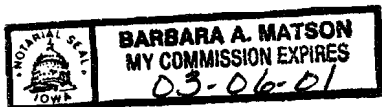
This Stipulation and Consent Order is voluntarily entered into by STEPHEN BOCK on this 15th day of June, 2000.



STEPHEN BOCK, Respondent

State of Iowa)

County of Story)

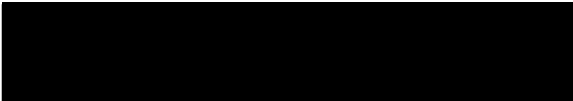
Signed and sworn to before me on this 15th day of JUNE, 2000, by




Notary Public, State of Iowa
Printed Name: BARBARA A. MATSON
My Commission Expires: 03-06-01

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 29 day of June, 2000.


Evelyn M. Rank, Chair
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General