

BEFORE THE IOWA REAL ESTATE COMMISSION
OF THE STATE OF IOWA

IN THE MATTER OF:)	
)	
WILLIAM J. CHRISTIANSEN)	CASE NUMBER 92-069
BROKER (B03780))	
)	
14521 NE 33RD COURT)	STIPULATION AND
ELKHART, IA 50073)	CONSENT ORDER
)	
RESPONDENT)	

On this 18 day of November, 1992, the Iowa Real Estate Commission and William J. Christiansen, 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 was reissued a broker license to practice real estate on the 28th day of February, 1986 as evidenced by license number B03780 which was in full force and effect through expiration 12-31-91 and after reissuance 09-22-92.

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

4. A Statement of Charges will be filed against Respondent together with this Stipulation and Consent Order. The Statement of Charges is attached to this Stipulation and is incorporated by this reference.

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

6. 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.

7. 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.

8. Failure to comply with the terms of this Stipulation and Consent Order shall be prima facie evidence of a violation of Iowa Code sections 117.29(3), 117.34(11), and 258A.3(2)(a) (1991).

9. 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.

10. 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 HEREBY ORDERED that Respondent's license to practice real estate is suspended effective on September 22, 1992 and shall remain suspended until such date as the Respondent submits to the Commission satisfactory proof of compliance with the additional education requirement ordered in the Informal Settlement in case #89-052 and the civil penalty in this case is paid to the Commission.

IT IS FURTHER ORDERED that for the period beginning on September 22, 1992 through reinstatement, the Respondent shall not engage in any activities for which a license is required under Iowa Code chapter 117.

IT IS FURTHER ORDERED that Respondent shall pay a civil fine to the Iowa Real Estate Commission in the amount of two hundred fifty dollars (\$250) at the same time proof of compliance with Case 89-052 is submitted to the Commission. The fine shall be mailed or delivered to the Executive Secretary of the Iowa Real Estate Commission at the following address: 1918 S.E. Hulsizer; Ankeny, Iowa 50021.

IT IS FURTHER ORDERED 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.

This Stipulation and Consent Order is voluntarily entered into by the Respondent on this 18 day of November, 1992.

[Redacted Signature]

Respondent

Subscribed and Sworn to before me on this 18 day of November, 1992.

[Redacted Signature]



Notary Public, State of Iowa

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on the 17th day of December, 1992.

[Redacted Signature]

E. Joe Ann Lutz, Chairperson of the Iowa Real Estate Commission

cc: Sherie Barnett, Assistant Attorney General
File 92-069

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

IN RE:)	CASE NUMBER: 92-069
)	
William J. Christiansen)	
Broker (B03780))	STATEMENT OF CHARGES
)	
14521 NE 33rd Court)	
Elkhart IA 50073)	

The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 117, and 258A (1991).

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

William J. Christiansen is, and was at all times during the following events, except for the period between January 1, 1992 and September 22, 1992, a licensed real estate broker. His license number is B03780.

COUNT I

The Respondent is charged with failing to comply with item number 3 of the Agreed Order of the Informal Settlement in case #89-052 in violation of Iowa Code sections 117.29(3), 117.34(11) and 258A.3(2)(a) (1991). The Agreed Order and Informal Settlement is incorporated by this reference into this Statement of Charges and is attached.

CIRCUMSTANCES OF THE COMPLAINT

1. On August 23, 1990 the Commission accepted the Informal Settlement in case 89-052, which was signed by the Respondent August 15, 1990.
2. Item number 3 of the Agreed Order, in the Informal Settlement in case 89-052, ordered Respondent to take the twelve (12) hour broker prelicense course "Real Estate Law, Contract Law and Agency Law" within twelve (12) months of signing the settlement and to submit proof of compliance to the Commission within thirteen (13) months of signing the settlement.

3. Proof of compliance and the cover letter were due to be submitted to the Commission by September 23, 1991 and have not yet been received.

4. The Executive Secretary attempted to contact Respondent after the deadline, without success, and found Respondent had moved to Oklahoma without notifying the Commission of the address change.

5. Respondent's license expired 12-31-91.

6. Respondent subsequently passed the Iowa Broker's Examination and applied in August, 1992 for reissuance of his license.

7. On August 20, 1992 the Commission voted to deny Respondent a license.

FINDING OF PROBABLE CAUSE

On September 17, 1992 Investigative Committee of 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 17th day of DECEMBER, 1992.



Roger Hansen, Executive Secretary for
the Iowa Real Estate Commission

cc: Sherie Barnett, Assistant Attorney General