

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

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IN RE:	)	CASE NUMBER: 88-112
Cheryl Eddy (S25991)	)	
Salesperson	)	
	)	
530 Broad Street	)	INFORMAL SETTLEMENT
Story City, IA 50248	)	
	)	
	)	

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Pursuant to Iowa Code Section 17A.10(1989) and 193E Iowa Administrative Code Section 4.12(117), this Informal Settlement is entered into between Cheryl Eddy and The Iowa Real Estate Commission (Commission). The parties agree as follows:

STIPULATED STATEMENT OF FACTS

1. The Commission has jurisdiction of this matter under Iowa Code Chapters 17A, 117, and 258A(1989) as well as the administrative rules found in Chapter 193E of the Iowa Administrative Code.
2. Cheryl Eddy is, and was at all times during the following events, a licensed salesperson. Her license number is S25991.
3. Cheryl Eddy listed the property of Bruce and Linda Jacobson located at 722 Grand Avenue, Story City, IA. The listing was dated September 26, 1988 and was to expire October 31, 1988.
4. Cheryl Eddy did also obtain from Bruce and Linda Jacobson a blank signed Listing Agreement on September 26, 1988.
5. 193E Iowa Administrative Code Section 1.23(117) states:

All Listing Agreements shall be in writing, properly identifying the property and containing all of the terms and conditions under which the property is to be sold, including the price, the commission to be paid, the signatures of all parties concerned and a definite expiration date. It shall contain no provision requiring a party signing the Listing to notify the Broker of the Listings party's intention to cancel the Listing after such definite expiration date.

AGREED ORDER

By agreement it is therefore, ORDERED, ADJUDGED, AND DECREED by the Iowa Real Estate Commission as follows:

1. Salesperson Cheryl Eddy has the right to a hearing on this matter, but waives her right to a hearing and all attendant rights by freely entering into this Informal Settlement.
2. Salesperson Cheryl Eddy is hereby REPRIMANDED.
3. Salesperson Cheryl Eddy shall take 12 hours of Real Estate Continuing Education in "Real Estate Law, Contract Law and Agency Law." within twelve (12) months of the signing of this Informal Settlement. These twelve (12) hours shall be taken in the area of Broker Pre-Licensing and shall be 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 signing this Informal Settlement by the commission. The Certificates of Attendance must come under a cover letter addressed to the Commission's Executive Secretary and must be referred to as case number 88-112.
4. This Informal Settlement shall be made a part of the permanent record of Salesperson Cheryl Eddy and may be considered by the Commission in determining the nature and severity of the disciplinary action to be imposed for any future license law violations by Salesperson Cheryl Eddy.
5. Failure to comply with the provision of this Agreed Order shall be considered prima facie evidence of a violation of Iowa Code Section 117.29(3) and 117.34(2)(1989). However, no action may be taken against a licensee without a hearing as provided for in Iowa Code Section 117.35(1989).
6. This settlement is subject to the approval of the Commission. If the Commission fails to approve this settlement, it shall be of no force or effect on either party and shall not be admissible for any purposes at any further proceedings in this matter.

**FOR THE BROKER:**

Dated this 9 day of October, 1989.

  
Cheryl Eddy


Signed and sworn to before me this 9th day of Oct., 1989.



  
Notary Public, State of Iowa

**FOR THE COMMISSION:**

Signed this 19th day of October, 1989.

  
~~Notary Public, State of Iowa~~  
Jerry Duggan, Vice-Chairperson

Executed this 19th day of October, 1989.