

**BEFORE THE IOWA REAL ESTATE COMMISSION
1920 SE HULSIZER
ANKENY, IOWA**

IN RE:)	
)	CASE NUMBER: 06-082
Stephen C. Ford)	
Salesperson (S44277))	
)	SETTLEMENT AGREEMENT
)	AND CONSENT ORDER IN A
William T. Gay, Jr. Broker (B04352))	DISCIPLINARY CASE
d/b/a All State Realty and Appraisal (T03318))	
Altoona, Iowa)	
)	
Respondent.)	

The Iowa Real Estate Commission (Commission) and **Stephen C. Ford** (Respondent) enter into this Settlement Agreement, and Consent Order in a Disciplinary Case (Order) pursuant to Iowa Code Sections 17A.10(1) and 272C.3(4) (2007).

1. The Commission issued the Respondent real estate salesperson license number S44277 on November 18, 2003. Respondent's license is valid through December 31, 2008. At all times relevant to this matter, the Respondent was a licensed real estate salesperson, assigned to William T. Gay, a sole proprietor, d/b/a All State Realty & Appraisal a licensed real estate trade name, license number T03318.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B. Licenses issued by the Commission are subject to the laws of the State of Iowa and to the administrative rules of the Commission.

VIOLATION

3. On September 5, 2007, the Iowa Real Estate Commission filed a Notice of Hearing and Statement of Charges in a Disciplinary Case in this case in which it alleged that the Respondent practiced real estate while his license was inactive, lapsed, or expired in violation of Iowa Code sections 543B.1, 543B.29(3) (2005), and 193 Iowa Administrative Code sections 18.2(5), 18.14(5)(a).

SETTLEMENT AGREEMENT

4. Respondent admits each and every allegations stated in the above-referenced Statement of Charges. The penalty typically imposed by the Commission for said violation is a formal reprimand and a \$1,000.00 civil penalty. Because Respondent has communicated to the Commission no interest in maintaining his real estate license or returning to active practice in the

06-082

Ford, Stephen C.

real estate profession, the parties have agreed to this Settlement Agreement in lieu of alternative sanctions.

5. Respondent acknowledges that he has a right to a hearing before the Commission on the merits of the charges. By freely and voluntarily entering into this Order, the Respondent waives his right to a hearing and all attendant rights, including the right to seek judicial review. This Order constitutes discipline against the Respondent, and is the final agency order in this contested case pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4.

6. Respondent agrees that the State's attorney and/or Commission staff may present this Order to the Commission and may have *ex parte* communications with the Commission while presenting it. Respondent waives any right of notice of this meeting or any right that the Respondent might have to participate in the discussion of this Order among the Commission, the Commission staff and the State's attorney.

7. This Order shall be part of the permanent record of Respondent and shall be considered by the Commission in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations of the laws and rules governing the practice of real estate by the Respondent.

8. Failure to comply with the terms of this Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a) (2007) and shall be grounds for further disciplinary action.

9. This Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members.

- (a) In the event that this Order is rejected by the Commission it shall be of no force or effect to either party, and it shall not be admissible for any purpose in further proceedings in this matter.
- (b) If the Commission approves this Order, it shall fully dispose of all issues in this case.

10. Both the above-referenced Statement of Charges and this Settlement Agreement and Consent Order shall be a public record available for inspection and copying in its entirety in accordance with the requirements of Iowa Code chapter 22 (2007).

06-082
Ford, Stephen C.

CONSENT ORDER

IT IS THEREFORE ORDERED:

14. **RESPONDENT'S** Iowa Real Estate Salesperson License (No. S44277) is voluntarily **SURRENDERED** for an indefinite time and not less than two years.

15. **RESPONDENT ACKNOWLEDGES** that the effective date of surrender shall be the date this Stipulation is accepted by the Commission.

16. **RESPONDENT FURTHER ACKNOWLEDGES** that Iowa law allows the Respondent to reapply for an Iowa Real Estate License if the surrender or revocation took place two (2) years or longer, **AND** that the Respondent must qualify as a salesperson starting over as if never licensed, **AND** that reapplication may or may not be granted by the Iowa Real Estate Commission and that the violation of law herein may provide a basis for denial. See 193 Iowa Admin. Code § 7.38.

WHEREFORE, the terms of this Settlement Agreement and Consent Order are agreed to and accepted by the Iowa Real Estate Commission and the Respondent.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by **Stephen C. Ford** on this 10th day of October, 2007.



STEPHEN C. FORD, Respondent

State of _____)

County of _____)

Signed and sworn to before me on this _____ day of _____, 2007, by

Notary Public, State of Iowa
Printed Name: _____
My Commission Expires: _____

06-082
Ford, Stephen C.

FOR THE COMMISSION:

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on
this 11th day of OCTOBER, 2007.



JAMES E. HUGHES, Chair
Iowa Real Estate Commission