

FILED 2-21-17 (DATE)

REAP

Board / Commission

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD

B March  
Signature, Executive Officer

IN THE MATTER OF:

Case No. 16-29

MARK E. HANNA,

CONSENT ORDER

Respondent.

The Iowa Real Estate Appraiser Examining Board (Board) and Mark E. Hanna (Respondent) agree to resolve the pending charges, as follows:

1. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 272C, and 543D.

2. On January 1, 2017, the Board charged Respondent, a licensed real estate salesperson in the State of Iowa, with attempting to improperly influence the development, reporting, result, or review of a real estate appraisal in violation of Iowa Code sections 543D.18A(1) and 543D.21(4)(b), and Iowa Administrative Code rule 193F—16.2(7).

3. Hearing in this matter is set for the **30th day of March, 2017, at 1:00 o'clock, p.m.**, at 200 E. Grand, Ste. 350, Des Moines, IA 50309. The Board and Respondent have agreed to fully resolve these charges through the following Consent Order, rather than proceed to a contested case hearing.

4. Respondent has a right to a hearing on the charges. However, by freely and voluntarily entering into this Consent Order, Respondent waives Respondent's right to hearing and all attendant rights, including the right to appeal to the superintendent and seek judicial review. Subject to 193F IAC 17.2(4), this Consent Order is the final agency action in this contested case, pursuant to Iowa Code section 17A.10, 193 IAC 7.42, and 193F IAC 16.7. Respondent acknowledges Respondent had an opportunity to consult with legal counsel before signing this Consent Order.

5. Respondent agrees the State's counsel may present this Consent Order to the Board and may have ex parte communications with the Board while presenting it.

6. This Consent Order does not prohibit the Board from considering the underlying factual allegations of this action in determining the nature and severity of any future sanction to be imposed in the event of any future violations of any statutory provision, administrative rule, or other law enforced or administered by the Board and applicable to Respondent. However, by signing this Consent Order, Respondent does not waive any argument, claim, or defense related to the Board's consideration of those facts in a future proceeding.

7. This Consent Order is a public record available for inspection and copying in

accordance with the requirements of Iowa Code chapter 22.

8. Failure to comply with the provisions of this Consent Order shall be grounds for further action pursuant to Iowa Code section 543D.21(7).

9. This Consent Order is subject to approval of the Board:

- a. If the Board fails to approve this Consent Order, 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;
- b. If the Board approves this Consent Order, it shall fully dispose of all issues in this case.

10. In signing this Consent Order, Respondent neither admits to any of the underlying facts or conduct alleged by the Board in this case, nor does Respondent admit to a violation of any of the underlying statutory provisions or rules charged by the Board in this case.

**IT IS THEREFORE ORDERED:**

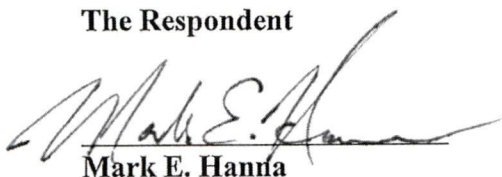
**A. Civil Penalty.** Respondent shall pay to the Board a civil penalty of \$250, which pursuant to Iowa Code section 543D.21(3) shall be deposited in the housing trust fund created in Iowa Code section 16.181.

**B. Future Compliance.** Respondent is warned that if in the future Respondent attempts to improperly influence the development, reporting, result, or review of a real estate appraisal, Respondent may be subject to additional and possibly more severe remedies.

**Case No. 16-29**

**AGREED AND ACCEPTED:**

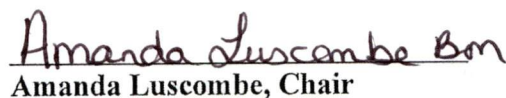
**The Respondent**

  
Mark E. Hanna

Date

2/15/2017

**The Iowa Real Estate Appraiser Examining Board**

  
Amanda Luscombe, Chair

Date

2-21-2017