

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

IN RE:)	
)	
)	CASE NUMBER: 00-079
SCOTT HANSEN)	
Salesperson (S34828))	STATEMENT OF
)	CHARGES
REALTY SPECIALIST INC.)	
4630 SINGING HILLS BLVD)	
SIoux CITY, IA 51106)	

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.

SCOTT HANSEN was at all material times, during the following events, a licensed salesperson with Advantage Real Estate, a licensed real estate firm (F003888) in Sioux City, Iowa. His license, number S03888 is in full force and effect through 12-31-2002.

COUNT I

The Respondent is charged with filing a false affirmation of continuing education for a 1999 real estate salesperson renewal application, in violation of Iowa Code sections 543B.15(5), 543B.29(1) and (3) (1999), and Iowa Administrative Code Chapter 193E, sections 3.3(5)(b), 3.3(5)(d), and 4.54(19).

CIRCUMSTANCES OF THE COMPLAINT

1. On or about January 31, 2000, the Respondent filed an application to renew his salesperson license. The application included the Continuing Education Reporting Form on the reverse side which reported adequate education to be renewed to active status.
2. The Respondent claimed credit for a four (4) hour "Ethics" course completed December 9, 1999 and an eight (8) hour "Law Update" course completed December 10, 1999. The affirmation, dated December 30, 1999, was signed affirming that the information provided was true and correct.
3. On or about April 28, 2000, the Commission received notification the ethics course was not completed until March 6, 2000 and the law update course was not completed until April 3, 2000.
4. The Respondent knew that he had not completed the home study courses at the time he completed and signed the Continuing Education Reporting Form.

FINDING OF PROBABLE CAUSE

On September 28, 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 24th day of MAY, 2001.


Roger L. Hansen, Executive Secretary
Iowa Real Estate Commission

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1918 SE HULSIZER
ANKENY, IOWA

IN RE:)	
)	
)	CASE NUMBER: 00-079
SCOTT HANSEN)	
Salesperson (S34828))	STIPULATION
)	AND
)	ORDER
REALTY SPECIALIST INC.)	
4630 SINGING HILLS BLVD)	
SIOUX CITY, IA 51106)	

On this 24th day of MAY, 2001, the Iowa Real Estate Commission and SCOTT HANSEN, 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 real estate salesperson license on March 17, 1994, which is in full force and effect through December 31, 2002.
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.

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 \$ 250.00 to the Commission within thirty (30) days of acceptance of this Stipulation and Consent Order by the Commission.

IT IS FURTHER ORDERED that the Respondent shall personally attend the four (4) hour Commission approved continuing education course "Ethics." These hours shall be in addition to any real estate continuing education required by law for license renewal. The original certificate of attendance must be submitted to the Iowa Real Estate Commission within six (6) months of the signing of this agreement by the Commission. The certificate of attendance must come under a cover letter addressed to the Commission's Executive Secretary and must refer to case 00-079.

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 SCOTT HANSEN on this _____ day of _____, 2001.


SCOTT HANSEN, Respondent

State of Iowa

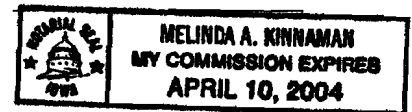
County of Wadebury

Signed and sworn to before me on this 7th day of May, 2001, by


Notary Public, State of Iowa

Printed Name: Melinda A. Kinnaman

My Commission Expires:



FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 24th day of MAY, 2001.


Robert J. Miller, Chair
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General