

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD

IN THE MATTER OF:)	
)	CASE NO. 95-20
DEAN HARRINGTON)	
CERTIFICATE NUMBER [REDACTED])	SETTLEMENT AGREEMENT AND
)	CONSENT ORDER
RESPONDENT)	

The Iowa Real Estate Appraiser Examining Board (Board) and Dean Harrington (Respondent) enter into this Settlement Agreement and Consent Order (Agreement), pursuant to Iowa Code sections 17A.10 and 272C.3(4) (1995) and 193F IAC 9.6:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C, and 543D (1995).
2. Respondent is a certified residential real estate appraiser.
3. A Notice of Hearing and Statement of Charges was filed against the Respondent on July 18, 1996.
4. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights by freely and voluntarily entering into this Agreement.
5. Respondent agrees the State's counsel may present this Agreement to the Board and may have ex parte communications with the Board while presenting it.
6. This Agreement shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

7. This Agreement and the Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 and section 272C.3(4).

8. Failure to comply with the provisions of this Agreement shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1995). However, no action may be taken against Respondent for violations of these provisions without a hearing or waiver of right to hearing.

9. This Agreement is subject to approval of the Board:

(a) If the Board fails to approve this Agreement, 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 Agreement, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Respondent shall restrict his real property appraisal practice to residential properties, consistent with his certification as a residential real estate appraiser.

B. Respondent shall develop a desk review consultation agreement with an Iowa Certified real property appraiser in good standing and pre-approved by the Board. Respondent has suggested Deane L. Davenport, who is acceptable to the Board. The agreement shall specify that desk review shall be performed by the consultant prior to the release of each appraisal report prepared by the Respondent on or after the date of this Agreement, subject to the following:

(1) The consultant shall review the first five (5) appraisal reports prepared by Respondent on or after the date of this Agreement.

(2) If the Board does not find serious deviations from USPAP in the desk review comments or appraisal reports concerning these first five appraisals, the Respondent may submit every fifth appraisal for review thereafter. If the Board does find serious deviations from USPAP in one or more of the comments or reports concerning these first five appraisals, the Respondent must continue the review arrangement for all appraisals.

(3) An executed copy of the consulting agreement shall be submitted to the Board within 10 days of the date of this Agreement.

(4) The reviewer's comments shall be incorporated into each appraisal prior to the release of the appraisal. A copy of the reviewer's comments shall be submitted directly to the Board from the reviewer. The comments do not need to be received by the Board prior to the release of the appraisal.

(5) Consistent with USPAP, any appraisal subject to desk review shall disclose any significant professional input by the desk reviewer.

C. Respondent shall voluntarily surrender his certificate as an Iowa certified real property appraiser on or before December 31, 1996, and agrees not to apply for reinstatement after the date of surrender. Respondent shall not hold himself out as a certified real property appraiser in the state of Iowa from and after

the date his certificate is surrendered.

D. Respondent shall in the future adhere to all statutes and administrative rules in the practice of real property appraising.

AGREED AND ACCEPTED:

The Respondent



Dean Harrington

August 21st 1996
Date

**The Iowa Real Estate Appraiser
Examining Board**



By: LI M. Perry, Chair

8-23-96
Date