

**BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD  
OF THE STATE OF IOWA**

---

<b>IN THE MATTER OF:</b>	)	
	)	<b>CASE NO. 08-15</b>
<b>EDWARD W. HILL</b>	)	
	)	<b>CONSENT ORDER</b>
<b>Respondent.</b>	)	

---

The Iowa Real Estate Appraiser Examining Board (Board) and Edward W. Hill (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2007) and 193 Iowa Administrative Code 7.42:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A and 543D (2007).
2. Respondent has never been a licensee or registrant of the Board, and in support of this Consent Order Respondent assures the Board he will never apply for registration as an associate real estate appraiser trainee or a certified appraiser in the state of Iowa.
3. The Board filed its Notice of Hearing and Statement of Charges on May 20, 2008. Hearing is currently set for June 26, 2008.
4. The Board charged Respondent in connection with appraisals he developed, reported, and signed after June 30, 2007. Commencing July 1, 2007, unlicensed persons are not authorized to assist a certified real estate appraiser in the development or reporting of an appraisal assignment that is required by state or federal law, rule or policy to be performed by a certified real estate appraiser. Iowa Code § 543D.20(1) (Supp. 2007).
5. The Board is authorized to impose a civil penalty against Respondent in an amount up to \$1,000 per violation of Iowa Code section 543D.20(1) pursuant to Iowa Code section 543D.21(3), (4). The Board is further authorized to order Respondent to comply in the future with Iowa Code chapter 543D, pursuant to Iowa Code section 543D.21(3). See also, 193F Iowa Administrative Code 16.2(6).
6. The Board alleged that Respondent violated Iowa Code chapter 543D by affixing his signature and the electronic signature of a certified appraiser to ten or more appraisal reports after June 30, 2007, all of which were associated with mortgage loans intended for resale on the secondary market where state certification would be required.

Additionally, the Board alleged that Respondent developed the appraisals solo because the certified appraiser, Byron Witt, did not review the appraisal reports at issue in this action to which Respondent placed Witt's signature.

7. 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 Order. This Order is the final agency order in the contested case. Respondent does not admit the Board's charges, but does agree to entry of this Consent Order.

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

9. This Consent Order and the Notice of Hearing are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2007).

10. This Order is subject to approval of the Board: (a) If the Board fails to approve this 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; and (b) If the Board approves this Order, it shall fully dispose of all issues in this case.

#### **IT IS THEREFORE ORDERED:**

**A. Future Practice:** Respondent shall not apply to the Board for registration as an associate real estate appraiser trainee or certification as a real estate appraiser.

**B. Civil Penalty:** Respondent is assessed a civil penalty in the amount of \$3,750, subject to the following terms and conditions:

1. Respondent shall pay \$500 no later than July 15, 2008.
2. Respondent shall additionally pay \$500 no later than December 31, 2008.
3. Respondent shall additionally pay \$500 no later than April 15, 2009.
4. Respondent shall additionally pay \$500 no later than July 15, 2009.
5. If Respondent timely makes the payments described in paragraphs B 1-4, the remaining civil penalty shall be waived.
6. If Respondent fails to timely make the payments described in paragraphs B the entire civil penalty of \$3,750 (less any payments) shall be immediately due and owing.

**C. Future Compliance:** Respondent shall in the future fully comply with Iowa Code chapter 543D.

**AGREED AND ACCEPTED:**

**The Respondent**



Edward W. Hill ✓

June 3, 2008

Date

**The Iowa Real Estate Appraiser Examining Board**



Michael Lara, Chair 0

6.4.2008

Date