

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

IN THE MATTER OF:)	Case No. 04-82A, 06-06,
)	06-13, and 06-43
)	
WILLIS D. HOLLINGSWORTH)	
CR01229)	
)	
Respondent.)	NOTICE OF HEARING AND
)	STATEMENT OF CHARGES
)	IN A DISCIPLINARY CASE

The Iowa Real Estate Appraiser Examining Board ("Board") issues this Notice of Hearing pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa certified residential real estate appraiser certificate number CR01229 on December 26, 1991. The registration is active and will next expire on June 30, 2008. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C, and 543D (2005).

**A. TIME, PLACE AND NATURE OF HEARING,
AND HEARING PROCEDURES**

1. **Hearing.** A disciplinary contested case hearing will be held before the Board on the **27th day of September, 2006, at 9 o'clock, a.m.**, at 1920 SE Hulsizer Road, Ankeny, Iowa.
2. **Answer.** Within 20 days of the date you are served with this Notice you must file an answer to the charges as provided in 193 Iowa Administrative Code 7.9.
3. **Prehearing Conference.** A prehearing conference will be held by telephone on the **19th day of September, 2006, at 1:30 o'clock, p.m.**, before an Administrative Law Judge from the Iowa Department of Inspections and Appeals ("ALJ"). You are responsible for notifying the Board office of the telephone number at which you or your counsel can be reached. Board rules on prehearing conferences may be found at 193 Iowa Administrative Code 7.21.

4. **Presiding Officer.** The full Board shall serve as presiding officer at hearing, pursuant to Iowa Code section 272C.6(1) and 193 Iowa Administrative Code 7.10(1). The Board may request that an ALJ make initial rulings on prehearing matters, and be present to assist and advise the Board at hearing, as described in 193 Iowa Administrative Code 7.10(4).

5. **Hearing Procedures.** Board rules on hearing procedures may be found at 193 Iowa Administrative Code chapter 7, and 193F Iowa Administrative Code chapter 8. You have the right to respond to the charges, produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. Consult rule 193 Iowa Administrative Code 7.22 if you need to request an alternative time or date. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

6. **Default.** If you fail to appear at hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 193 Iowa Administrative Code 7.27.

7. **Prosecution.** Licensee disciplinary cases are prosecuted by an Assistant Attorney General acting on behalf of the public interest (the State). Copies of all pleadings shall be filed with the Board, with copies mailed to: Assistant Attorney General Pamela Griebel, Iowa Department of Justice, Hoover Building, 2nd Fl., and Des Moines, Iowa, 50319. Phone: 515-281-6403; Fax: 515-281-7551; E-mail: pgriebe@ag.state.ia.us.

8. **Respondent's Counsel.** Copies of all pleadings filed with the Board shall be provided to: Michael M. Sellers, Attorney at Law, 1501 42nd St., West Des Moines, Iowa 50266. Phone: 515-221-0111.

9. **Settlement.** The procedural rules governing the Board's settlement process are found at 193 Iowa Administrative Code 7.42. If you are interested in pursuing settlement of this matter, please contact Assistant Attorney General Pamela Griebel.

10. **Communications.** You may not contact Board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and an

opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Assistant Attorney General Pamela Griebel, or Susan Griffel, the Board's Executive Officer, at 515-281-7468.

B. STATEMENT OF CHARGES

11. The Board found probable cause to file the following charges on August 16th, 2006.


12. A separate summary of the factual matters asserted will be furnished to the Respondent with this Notice of Hearing.

13. Respondent is charged with:

a. repeatedly failing to adhere to appraisal standards, including but not limited to the ethics and competence rules of the Uniform Standards of Professional Appraisal Practice, in the development, preparation, and communication of multiple appraisals; failure to exercise reasonable diligence in the development, preparation, and communication of multiple appraisals; negligence or incompetence in the development, preparation, and communication of multiple appraisals; improper advocacy; and failure to properly supervise an associate appraiser, in violation of Iowa Code sections 272C.10(3), 543D.17(1)(d), (e), and (f), and 543D.18(1), (2) (2003, 2005), and 193F Iowa Administrative Code sections 7.1, 7.2(2), (5), and (8), and chapter 15; and,

b. practices harmful or detrimental to the public and repeatedly demonstrating, through lack of education, negligence, carelessness or omissions, or intentional acts, a lack of qualifications to assure the public a high standard of professional care in violation of Iowa Code sections 272C.3(2)(b), and 272C.10(3).

This Notice of Hearing and Statement of Charges is filed and issued on the 16th day of August, 2006.



Susan Griffel, Executive Officer ✓
Iowa Real Estate Appraiser Examining Board
1920 SE Hulsizer Road
Ankeny, Iowa 50021
Phone: 515-281-7468
Fax: 515-281-7411
Susan.griffel@iowa.gov

Copies to:

Assistant Attorney General Pamela Griebel
Respondent
Department of Inspections and Appeals, assigned Administrative Law Judge
Michael Sellers

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

IN THE MATTER OF:)	Case No. 04-82A, 06-06,
)	06-13, and 06-43
)	
WILLIS D. HOLLINGSWORTH)	
CR01229)	
)	CONSENT ORDER
Respondent.)	
)	

The Iowa Real Estate Appraiser Examining Board (Board) and Willis D. Hollingsworth (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2005) and 193 Iowa Administrative Code 7.42:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2005).
2. Respondent was first issued his certification as a certified residential real estate appraiser on December 26, 1991. His certificate lapsed in 2000 and was reinstated in 2005. Respondent's certificate is currently active and is set to expire on June 30, 2008.
3. The Board filed its Notice of Hearing and Statement of Charges on August 16, 2006. Hearing is currently set for November 7, 2006.
4. The Board charged Respondent with:
 - a. repeatedly failing to adhere to appraisal standards, including but not limited to the ethics and competence rules of the Uniform Standards of Professional Appraisal Practice, in the development, preparation, and communication of multiple appraisals; failure to exercise reasonable diligence in the development, preparation, and communication of multiple appraisals; negligence or incompetence in the development, preparation, and communication of multiple appraisals; improper advocacy; and failure to properly supervise an associate appraiser, in violation of Iowa Code sections 272C.10(3), 543D.17(1)(d), (e), and (f), and 543D.18(1), (2) (2003, 2005), and 193F Iowa Administrative Code sections 7.1, 7.2(2), (5), and (8), and chapter 15; and,
 - b. practices harmful or detrimental to the public and repeatedly demonstrating, through lack of education, negligence, carelessness or omissions, or intentional acts, a lack of qualifications to assure the public a high standard of professional care in violation of Iowa Code sections 272C.3(2)(b), and 272C.10(3).

5. 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 charges. Instead, Respondent states that due to health reasons he is unable to defend the charges, is retiring from the practice of real estate appraising, and wishes to permanently surrender his certification.

6. 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.

7. This Order 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.

8. This Order, the Statement of Charges, and the Statement of Matters Asserted are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2005).

9. Failure to comply with the provisions of this Order shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2005). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

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: Respondent shall surrender his real estate appraiser certification number CR01229 and shall cease all activities as a certified real estate appraiser effective the day this Order is signed by all parties. Respondent shall return his certificate to the Board office within 10 days of the date this Order is signed by all parties. Respondent shall not seek to reinstate his certificate in the future.

AGREED AND ACCEPTED:

The Respondent

The Iowa Real Estate Appraiser Examining Board

Willis Hollingsworth

Michael Lara, Chair

11-1-06
Date

11.2.2006
Date

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on November 1 2006

By: U.S. Mail FAX
 Hand Delivered Overnight Courier
 Certified Mail Other

Signature _____