

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

IN THE MATTER OF)	
)	CASE NO. 00-28
David R. Jenk)	
)	CONSENT ORDER
Certificate Number CR01306)	
)	
RESPONDENT)	

The Iowa Real Estate Appraiser Examining Board (Board) and David R. Jenk (Respondent) enter into this Settlement Agreement and Consent Order (Order) pursuant to Iowa Code sections 17A.10(2001) and 193F IAC 8.6:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2001).
2. The Board issued a Statement of Charges against the Respondent on February 20, 2001.
3. Respondent is a certified residential real estate appraiser in Iowa. His certificate is currently active, although Respondent has not completed the required continuing education for continued licensure.
4. Respondent is currently incarcerated and does not plan to engage in the practice of real estate appraising, including in a review capacity, until he is released and has completed all required continuing education. Respondent has accordingly offered to settle the pending contested case.
5. While not necessarily admitting any of the allegations in the Statement of Charges, Respondent agrees to the terms of this Consent Order.
6. 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 Consent Order is the final agency order in the contested case.
7. 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.
8. 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.
9. This Order and the Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2001).
10. Failure to comply with the provisions of this Order shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2001). However no action may be taken

against Respondent for violations of these provisions without a hearing, or waiver of hearing.

11. 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.
- (b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Reprimand

The Respondent agrees to fully comply with all applicable USPAP standards in all future appraisal assignments, and, in particular, agrees not to represent that he has personally inspected properties if that is not accurate.

B. Education


Respondent shall complete all required continuing education, including the requisite number of in-class courses, as soon as he is released from prison.

C. Practice Restriction

Until Respondent (1) is released from prison, (2) completes all continuing education, and (3) has received written confirmation from the Board that all education he has completed is satisfactory under Board law and rules, the Respondent shall not engage in the practice of real estate appraising.

AGREED AND ACCEPTED:

The Respondent



David R. Jenk

3-17-01

Date

The Iowa Real Estate
Appraiser Examining Board



By: Richard E. Bruce, Chair

3-22-01

Date