

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

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IN RE:	)	CASE NUMBER: 94-055
	)	
LARRY G. KARSTEN (B04962)	)	
Broker	)	STATEMENT OF CHARGES
	)	
Larry Karsten Real Estate Inc.	)	
224 1st Street East	)	
PO Box 507	)	
Independence, Iowa 50644	)	
	)	

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The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543B, and 272C (1993).

Licenses issued by the Commission are subject to the laws of the state of Iowa and to the administrative rules of the Commission.

LARRY G. KARSTEN was at all times during the following events a licensed real estate Broker. His license number is B04962. LARRY G. KARSTEN is licensed as a Broker/Officer and designated broker in charge of Larry Karsten Real Estate and Insurance Inc. Independence, Iowa.

HOWARD J. STIEFEL was at all material times during the following events a licensed real estate salesperson licensed with Larry Karsten Real Estate and Insurance, Inc. Independence, Iowa. His license number is S27064.

COUNT I

The Respondent is charged with engaging in a practice harmful or detrimental to the public by failing to obtain a written listing agreement with the owner to sell a property, in violation of Iowa Code sections 543B.29(3) and 543B.34(8) (1993) and Iowa Administrative Code Chapter 193E, section 1.23, and 4.40(10).

COUNT II

The Respondent is charged with making misleading, deceptive, or false representations in the practice of real estate by advertising a property without a written unexpired listing in effect with the owner, in violation of Iowa Code sections 543B.29(3) and (7), and 543B.34(1) and (3) (1993) and Iowa Administrative Code Chapter 193E, section 1.24(1), 1.24, and 4.40(19).

COUNT III

The Respondent is charged with failure to properly supervise an employed salesperson in violation of Iowa Administrative Code Chapter 193E, section 2.16, by knowingly permitting Howard J. Stiefel to attempt to sell property without a written, unexpired listing agreement.

CIRCUMSTANCES OF THE COMPLAINT

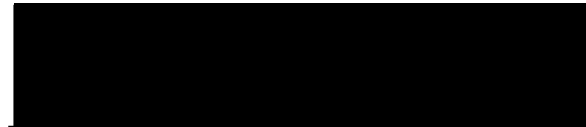
RE: Case 94-055, Howard J. Stiefel, Respondent

1. On July 20, 1993, Respondent listed the property at 412 9th Avenue S.E., Independence, Iowa, owned by Richard C. Rosaur, for \$29,500.00.
2. The listing expired October 20, 1993. The listing contract was not extended and the property was not relisted.
3. On January 4, 1994, and March 1, 1994, the property was advertised by Larry Karsten Real Estate.
4. Respondent knowingly permitted salesperson Howard J. Stiefel to attempt to sell Mr. Rosaur's property after the written listing agreement expired October 20, 1993.

FINDING OF PROBABLE CAUSE

On July 13, 1994, 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 3<sup>rd</sup> day of NOVEMBER,  
1994.



Roger L. Hansen,  
Executive Secretary  
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

#1 94-055

BEFORE THE IOWA REAL ESTATE COMMISSION  
OF THE STATE OF IOWA

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IN RE:	)	
	)	
LARRY G. KARSTEN            (B04962)	)	CASE NUMBER: 94-055
Broker	)	
Larry Karsten Real Estate Inc.	)	STIPULATION AND
224 1st Street East	)	CONSENT ORDER
PO Box 507	)	
Independence, Iowa 50644	)	
	)	

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On this 3<sup>rd</sup> day of NOVEMBER, 1994, the Iowa Real Estate Commission and LARRY G. KARSTEN 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 was issued a Broker license to practice real estate on the 28th day of August, 1980, as evidenced by license number B04962 which is in full force and effect through December 31, 1995.
3. The Iowa Real Estate Commission has jurisdiction over the parties and subject matter jurisdiction of each allegation in the Statement of Charges.
4. A Statement of Charges will be filed against Respondent together with this Stipulation and Consent Order.
5. Respondent admits each and every allegation in the Statement of Charges.
6. 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.
7. 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.

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Karsten, Larry G.

8. 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) and 543B.34(2) (1993).

9. 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.

10. 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 HEREBY ORDERED AND AGREED 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 Respondent shall take six (6) hours of Iowa Real Estate Commission approved real estate continuing education in "Iowa License Law and Rules". These hours shall be in addition to all other real estate continuing education required by law for license renewal. The Respondent must personally attend the course. The original certificate of attendance must be submitted to the Iowa Real Estate Commission within thirteen (13) 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 94-055

IT IS FURTHER ORDERED 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.

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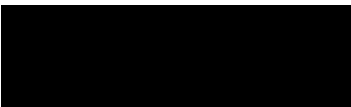
This Stipulation and Consent Order is voluntarily entered into by the Respondent on this 30 day of August, 1994.



LARRY G. KARSTEN, Respondent

State of Iowa )  
County of Buchanan )

Signed before me on this 30th day of August, 1994, by LARRY G. KARSTEN.



Notary Public, State of Iowa  
Printed Name: Brenda Taylor  
My Commission Expires: 5/18/95

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on the 30th day of NOVEMBER, 1994.



Jerry F. Duggan, Chairman  
Iowa Real Estate Commission

cc: Pam Griebel, Assistant Attorney General

#1 94-055