



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

IN THE MATTER OF: )

Robert Kirtley )  
CR01257 )  
Cedar Rapids, IA )

RESPONDENT )

CASE NO. 09-17

COMBINED STATEMENT OF CHARGES  
AND CONSENT ORDER

Department of Commerce  
Professional Licensing Bureau  
FILED 10/6/09 (Date)  
IA RE Appr Exam Board  
[Redacted Signature]  
Signature, Executive Officer

A. Statement of Charges

1. The Iowa Real Estate Appraiser Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543D.
2. Respondent is a certified residential real estate appraiser in Iowa. He was issued Certificate No. CR01257 on January 3, 1992.
3. Certificate No. CR01257 is currently valid and in good standing, and is scheduled to expire on June 30, 2010.
4. The Board received a complaint in March 2009, alleging that an appraisal report completed by Respondent failed to comply with applicable appraisal standards. The Board requested a log and selected two additional appraisals for review. The Standard Three reviews of the appraisals and work files revealed USPAP violations.
5. The Board charges Respondent with failure to adhere to applicable USPAP standards in violation of Iowa Code section 543D.17(d) and 543D.18(1), and 193F IAC 7.2.
6. The parties have agreed to fully resolve these charges through the following Consent Order, rather than proceed to contested case hearing. The Respondent denies the allegations, but agrees to comply with the Consent Order to resolve disputed matters.

B. Settlement Agreement and Consent Order

7. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4.
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 future disciplinary action to be imposed in the event of any future violations.

9. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2009).

10. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2009). 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. Education.** Respondent shall complete the following educational courses by December 31, 2009, and shall forward certificates of completion to the Board within 10 calendar days of completion:

- (1) a 15-hour classroom tested USPAP course;
- (2) a 15-hour classroom course on residential report writing and case studies that is a qualifying course for certification; and,
- (3) a 30-hour classroom course on residential sales comparison and income approach that is a qualifying course for certification.

**B. Post-education review.** By March 1, 2010, the Respondent shall provide the Board a log of all appraisals completed after the education described in Paragraph A and prior to March 1, 2010. The logs shall include the following minimum information: (a) date of inspection and date report signed, (b) property address, (c) client for whom appraisal was completed, and (d) Respondent's estimated value. The Board shall select one or more appraisals to review. Respondent shall promptly submit the appraisal reports and work files. Following review of these appraisals, the Board will close the case if the reviews do not reveal significant USPAP violations. If the post-education appraisals reveal significant USPAP violations, the Board may enter such additional orders as are appropriate, but may not do so absent Respondent's consent without providing Respondent with an opportunity for hearing.

**C. Future Compliance.** Respondent shall in the future comply with all Board laws and rules, and all applicable appraisal standards.

**AGREED AND ACCEPTED:**

**The Respondent**



**Robert Kirtley**

9/23/2009

**Date**

**The Iowa Real Estate Appraiser  
Examining Board**



**Michael Lara, Chair**

10/6/09

**Date**