

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

IN THE MATTER OF:  
CHARLES G. MOGGED  
CERTIFICATE NO. [REDACTED]

RESPONDENT

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)  
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)  
)

CASE NO. 95-21  
  
COMPLAINT

COMES NOW, the Complainant William M. Schroeder, and states:

1. He is the Executive Secretary of the Iowa Real Estate Appraiser Examining Board and files this Complaint solely in his official capacity.
2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 543D, 272C (1995).
3. On December 23, 1991, Charles G. Mogged, the Respondent, was issued an Iowa Real Estate Appraiser Certificate by the Board.
4. The Certificate No. [REDACTED] is currently in good standing.

COUNT I

The Respondent is charged with violation of the Iowa Code section 543D.17(1)(g)(1995) and Iowa Administrative Code 193F-7.1(3)(d) for failure to respond to a Board communication within 30 days of receipt.

COUNT II

The Respondent is charged with violation of the Uniform Standards of Professional Appraisal Practice in connection with the development of a real estate appraisal pursuant to Iowa Code sections 543D.17(1)(d) and 543D.18(1)(1995) and Iowa Administrative Code 193F-7.1.(5).

COUNT III

The Respondent is charged with failing to exercise reasonable diligence in the preparation and communication of a real estate appraisal in violation of Iowa Code Section 543D.17(1)(e)(1995).

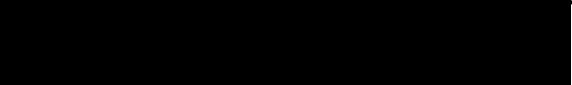
COUNT IV

The Respondent is charged with negligence and incompetence in the preparation and communication of a real estate appraisal in violation of Iowa Code section 543D.17(1)(f)(1995).

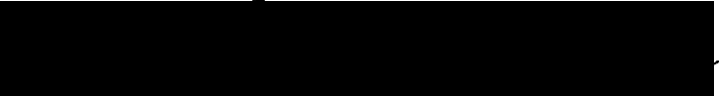
CIRCUMSTANCES

1. The Respondent failed to respond to a certified letter mailed August 11, 1995 with a domestic return receipt signed by the Respondent and dated August 21, 1995.
2. The Respondent prepared and communicated an appraisal for real property identified as Lots 2,3,4, and 5 in Hildreth Addition to Nevada, Story County, State of Iowa. Consisting of approximately 11.44 tax acres and dated August 20, 1994.
3. The appraisal was prepared and communicated after the Respondent was issued Iowa Certified General Real Property Certificate No. 338284506.
4. The appraisal report contains deficiencies including but no limited to the following:
  - a. Failure to prominently state reporting option used. 2-2
  - b. Failure to correctly collect, verify, analyze and reconcile data. 2-2(vi), 2-2(viii)
  - c. Failure to correctly employ recognized methods and techniques necessary to produce a credible appraisal. 1-1(a)
  - d. Failure to provide sufficient information to enable the person(s) who are expected to receive or rely on the report to understand it properly. 2-1(b).

WHEREAS, the Complainant prays that a hearing be held in this matter and that the Board take such action as it deems appropriate under the law.

  
William M. Schroeder, Executive Secretary  
Complainant

On this 7th day of December, 1995 the Iowa Real Estate Appraiser Examining Board found probable cause to file this statement of charges and to order a hearing in this case.

  
Chair, Iowa Real Estate Appraiser  
Examining Board

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

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<b>IN THE MATTER OF:</b>	)	
	)	<b>CASE NO. 95-21</b>
<b>CHARLES G. MOGGED</b>	)	
<b>Cert. No. [REDACTED]</b>	)	<b>SETTLEMENT AGREEMENT AND</b>
	)	<b>CONSENT ORDER</b>
<b>RESPONDENT</b>	)	

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The Iowa Real Estate Appraiser Examining Board (Board) and Charles G. Mogged (Respondent) enter into this Settlement Agreement and Consent Order (Agreement), pursuant to Iowa Code sections 17A.10 and 272C.3(4) (1995) and 193F IAC 8.6:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (1995).
2. Respondent is a certified general real estate property appraiser.
3. A Notice of Hearing and Statement of Charges was filed against the Respondent on December 7, 1995.
4. 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 Agreement.
5. Respondent agrees the State's counsel may present this Agreement to the Board and may have ex parte communications with the Board while presenting it.
6. This Agreement 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.

7. This Agreement is a public record available for inspection and copying in accordance with the requirements of Iowa Code Chapter 22 and Iowa Code section 272C.3(4).

8. Failure to comply with the provisions of this Agreement shall be grounds for disciplinary action pursuant to Iowa Code § 272C.3(2)(a) (1995). However, no action may be taken against Respondent for violations of these provisions without a hearing.

9. This Agreement is subject to approval of the Board:

(a) If the Board fails to approve this Agreement, 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 Agreement, it shall fully dispose of all issues in this case.

**IT IS THEREFORE ORDERED:**

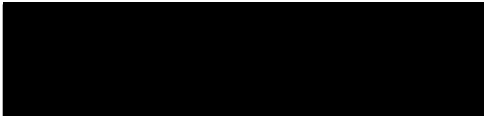
A. Respondent shall obtain fifteen (15) hours of classroom continuing professional education of tested course work in USPAP within six (6) months from the date this Agreement is executed by the Board.

B. Respondent shall submit to the Board documentation of the class completed within ten (10) days after completion. The course work may be counted toward continuing education requirements for certificate renewal.

**AGREED AND ACCEPTED:**

**The Respondent**

**The Iowa Real Estate Appraiser  
Examining Board**



**Charles G. Megged**

June 7, 1996  
**Date**



**By: \_\_\_\_\_, Acting Chair**

October 23, 1996  
**Date**