


3. The 1620 Main Street, Des Moines, Iowa report (dated December 16, 1996) contains deficiencies including but not limited to the following violation of the Uniform Standards of Professional Appraisal Practice:
- a. Failure to clearly and accurately set forth the appraisal in a manner that will not be misleading. (2-1)
 - b. Failure to prominently state which reporting option is used. (2-2)
 - c. Failure to state the real property interest being appraised. (2-2(c)(ii))
 - d. Failure to reference a definition of value to be estimated. (2-2(c)(iv))
 - e. Failure to state the intended use of the appraisal. (2-2(c)(iii))
 - f. Failure to describe the extent of the process of collecting, confirming, and reporting data. (2-2(c)(vi))
 - g. Failure to state the appraisal procedures followed, failure to state the value conclusion and reference the existence of specific file information in support of the conclusion. (2-2(c)(viii))
 - h. Failure to state the appraisers opinion of the highest and best use of real estate. (2-2(c)(ix))
 - i. Failure to contain a prominent use restriction and clearly identify and explain any permitted departures from specific guidelines of standard 1. (2-2(c)(xi))
 - j. Failure to include a signed certification in accordance with Standards Rule 2-3. (2-2(c)(xii))
 - k. Violation of the Conduct Section in that an appraiser must perform in accordance with the USPAP.
 - l. Violation of the Departure Provision which allows for limited departures of specific guidelines.
 - m. Violation of Statement 7, permitted departures and clarification of nomenclature.
4. The 2911 Douglas Avenue, Des Moines, Iowa report (dated April 24, 1997) contains deficiencies including but not limited to the following violation of the Uniform Standards of Professional Appraisal Practice:
- a. Failure to clearly and accurately set forth the appraisal in a manner that will not be misleading. (2-1)
 - b. Failure to prominently state which reporting option is used. (2-2)
 - c. Failure to reference a definition of value to be estimated. (2-2(c)(iv))
 - d. Failure to state the appraisal procedures followed, state the value conclusion and reference the existence of specific file information in support of the conclusion. (2-2(c)(viii))
 - e. Failure to state the appraisers opinion of the highest and best use of the real estate. (2-2(c)(ix))
 - f. Failure to contain a prominent use restriction and clearly identify and explain any permitted departures from the specific guidelines of Standard 1. (2-2(c)(xi))
 - g. Failure to include a signed certification in accordance with Standards Rule 2-3. (2-2(c)(xii))
 - h. Violation of Conduct Section in that an appraiser must perform in accordance with the USPAP.
 - i. Violation of Statement 7, permitted departures and clarification of nomenclature.
 - j. Violation of Statement 9, statement of intended user(s) of the report.

5. The 125 College Avenue, Des Moines, Iowa report (dated December 16, 1996) contains deficiencies including but not limited to the following violations of the Uniform Standards of Professional Appraisal Practice:
- a. Failure to clearly and accurately set forth the appraisal in a manner that will not be misleading. 2-1
 - b. Failure to prominently state which reporting option is used. 2-2
 - c. Failure to state the real property interest being appraised. 2-2(c)(ii)
 - d. Failure to state the intended use of the appraisal. 2-2(c)(iii)
 - e. Failure to reference a definition of value to be estimated. 2-2(c)(iv)
 - f. Failure to describe the extent of the process of collecting, confirming and reporting data. 2-2(c)(vi)
 - g. Failure to state the appraisal procedures followed, state the value conclusion and reference the existence of specific file information in support of the conclusion. 2-2(c)(viii)
 - h. Failure to state the appraisers opinion of the highest and best use of the real estate. 2-2(c)(ix)
 - i. Failure to contain a prominent use restriction and clearly identify and explain any permitted departures from the specific guidelines of Standard 1. 2-2(c)(xi)
 - j. Failure to include a signed certification in accordance with Standards Rule 2-3. 2-2(c)(xii)
 - k. Violation of the Conduct Section in that an appraiser must perform in accordance with the USPAP.
 - l. Violation of the Departure Provision which allows for limited departures of specific guidelines.
 - m. Violation of Statement 7, permitted departures and clarification of nomenclature.
6. The 2100 Ingersoll Avenue, Des Moines, Iowa report (dated January 20, 1997) contains deficiencies including but not limited to the following violations of the Uniform Standards of Professional Appraisal Practice:
- a. Failure to state the intended use of the appraisal. 2-2(c)(iii)
 - b. Failure to reference a definition of value to be estimated. 2-2(c)(iv)
 - c. Failure to describe the extent of the process of collecting, confirming and reporting data. 2-2(c)(vi)
 - d. Failure to state the appraisal procedures followed, state the value conclusion and reference the existence of specific file information in support of the conclusion. 2-2(c)(viii)
 - e. Failure to contain a prominent use restriction and clearly identify and explain any permitted departures from the specific guidelines of Standard 1. 2-2(c)(xi)
 - f. Failure to include a signed certification in accordance with Standards Rule 2-3. 2-2(c)(xii)
 - g. Failure to adequately identify the real estate. 1-2(a)
 - h. Failure to consider leases. 1-2(c)
 - i. Failure to collect, verify, analyze and reconcile available comparable rental to estimate the market rental of the property being appraised. 1-4(b)(iv)
 - j. Failure to consider and analyze the effect on value, if any, on the terms and conditions of the lease. 1-4(d)

- k. Violations of the Departure Provision, allowing for identified departures from specific guidelines.
- l. Violation of Statement 7, permitted departures.
- m. Violation of Statement 9, statement of intended user(s) of the report.
- n. Violation of the Conduct Section in that an appraiser must perform in accordance with the USPAP.

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 2nd day of September, 1997, the Iowa Real Estate Appraiser
Examining Board found probable cause to file this statement of charges and to order a hearing in this case.


David R. Hicks, Chair
Iowa Real Estate Appraiser Examining Board

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD

IN THE MATTER OF:)	
MICHAEL D. OLSON)	CASE NO. 95-29
CERT. NO. [REDACTED])	
RESPONDENT)	CONSENT ORDER

The Iowa Real Estate Appraiser Examining Board (Board) and Michael D. Olson (Respondent) enter into this Settlement Agreement and Consent Order (Order), pursuant to Iowa Code section 17A.10 (1997) and 193F IAC 8.6:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (1997).
2. The Board issued a Statement of Charges against the Respondent on September 2, 1997. Contested case hearing is set for October 7, 1997.
3. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.
4. 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.
5. 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.
6. 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 (1997).
7. Failure to comply with the provisions of this Order shall be considered prima facie evidence of a violation of Iowa Code section 543D.17(1) (1997), and shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1997). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.
8. This Agreement is subject to approval of the Board. 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. If the Board approves this Agreement, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

*per 10/7/97 PC with
Mike Olson & Dan
Manning PJ
AK*

A. Education

(1) The Respondent shall successfully complete the following educational courses before July 1, 1998, ^{none} of which may be counted toward continuing education requirements for certification renewal:

- (a) Fifteen (15) tested hours on USPAP; and
- (b) Fifteen (15) tested hours on narrative report writing.

(2) Respondent shall, within sixty (60) days from the date this Order is signed, provide an educational plan to the Board for course approval. Respondent shall submit to the Board documentation of the classes completed within ten (10) days after successful completion.

(3) Respondent has enrolled in a 15-hour, tested USPAP course for October 10 and 11, 1997, sponsored by the Appraisal Institute. This course, if successfully completed, will satisfy the USPAP course required by this Order.

B. Log

The Respondent shall submit a log of all non-residential appraisal reports completed within the first six months following his successful completion of the educational plan described above. The log shall be submitted seven months after the education is completed and the board may select one or more non-residential appraisals for review.

Iowa Real Estate Appraisal Examining Board

By: _____

[Redacted Signature]

Date

10/7/97

Michael L. Olson, Respondent

[Redacted Signature]

Date

9-30-97