

**BEFORE THE IOWA REAL ESTATE COMMISSION
1920 SE HULSIZER
ANKENY, IOWA**

IN RE:)	
)	
)	CASE NUMBER 05-088
SCOTT E. THOMAS, SR.)	
Salesperson (S36888))	STIPULATION
)	AND
Associates Realty, LLC (F04864))	ORDER
1225 Jordan Creek Pkwy)	
West Des Moines, IA 50266)	
)	

On this 14th day of DECEMBER, 2005, the Iowa Real Estate Commission and **SCOTT E. THOMAS, SR.**, 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 has a right to a hearing on the charges, but waives the 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 a contested case hearing.
3. The Respondent was issued a real estate Salesperson license on April 1, 1996, which is in full force and effect through December 31, 2007.
4. The Iowa Real Estate Commission has jurisdiction over the parties and subject matter jurisdiction over each allegation in the Statement of Charges.
5. A Statement of Charges will be filed against Respondent together with this voluntary Stipulation and Consent Order.
6. Respondent does not admit to the allegations in the Statement of Charges, but agrees to resolve the charges by entering into this Consent Order.
7. 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.

8. 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.

9. 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), 543B.34(2) and 272C.3(2)(a) (2005).

10. 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.

11. 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 ORDERED that the Respondent is **Reprimanded**.

IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty in the amount of \$ 2000 within thirty (30) days of acceptance of this stipulation by the Commission and come under a cover letter addressed to the Commission's Executive Officer and refer to case 05-088.

IT IS FURTHER ORDERED AND AGREED 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.

FOR THE RESPONDENT:

This Stipulation and Consent Order is voluntarily entered into by **SCOTT E. THOMAS, SR.** on this 5th day of December, 2005.

SCOTT E. THOMAS, SR., Respondent

State of Iowa)

County of Polk)

Signed and sworn to before me on this 5th day of December, 2005, by






Notary Public, State of Iowa
Printed Name: Cheryl K. Mendenhall
My Commission Expires: November 2, 2007

FOR THE COMMISSION:

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this 14th day of DECEMBER, 2005.


James E. Hughes, Chair
Iowa Real Estate Commission

05-088
Scott Thomas


CIRCUMSTANCES OF THE COMPLAINT

1. On or about June 30, 2005, Respondent filed an application for broker license. On item number 9d, Respondent checked the "no" box, indicating that no disciplinary action has ever been taken against him by any state board or similar licensing body.
2. On or about June 30, 2005, it was discovered that Respondent had been disciplined. On January 27, 2000, the Commission accepted an informal settlement in complaint case number 99-037, in which Respondent was Reprimanded and ordered to pay a \$250 civil penalty.
3. The license was not issued and the application was placed on the agenda for the July 14, 2005 Commission meeting. On or about July 11, 2005, the application was withdrawn by the Respondent.

FINDING OF PROBABLE CAUSE

On November 3, 2005 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 14th day of DECEMBER, 2005.



Roger L. Hansen, Executive Officer
Iowa Real Estate Commission