

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

IN THE MATTER OF:	)	CASE NO. 06-34
	)	DIA NO. 07DOCRE005
DAVID W. WESSLING)	
CR-1278	)	FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW,
RESPONDENT	)	DECISION AND ORDER

On May 31, 2007, the Iowa Real Estate Appraiser Examining Board (Board) filed a Notice of Hearing and Statement of Charges against David W. Wessling (Respondent). Respondent was charged with:

a. Repeatedly failing to adhere to appraisal standards, including but not limited to the ethics and competence rules of the Uniform Standards of Professional Appraisal Practice, in the development, preparation, and communication of multiple appraisals; failure to exercise reasonable diligence in the development, preparation and communication of multiple appraisals; and negligence or incompetence in the development, preparation, and communication of multiple appraisals, in violation of Iowa Code sections 272C.10(3), 543D.17(1)(d), (e), and (f) and 543D.18(1), (2) (2005) and 193F IAC 7.1, 7.2(2), (5) and (8).

b. Practices harmful or detrimental to the public and repeatedly demonstrating, through lack of education, negligence, carelessness or omissions, or intentional acts, a lack of qualifications to assure the public a high standard of professional care in violation of Iowa Code sections 272C.3(2)(b) and 272C.10(3).

A telephone prehearing conference was held on July 27, 2007. The hearing was held before the Board on August 7, 2007 at 9:00 a.m. Respondent David W. Wessling appeared and was self-represented. Assistant Attorney General Pamela Griebel represented the state of Iowa. The following Board members presided at the hearing: Michael Lara, Appraiser, Chairperson; Gregory Morehead, Appraiser; Amy Thorne, Appraiser; Judy Zwanziger, Appraiser; James Kesterson, Appraiser; and John Larson, public member. Administrative Law Judge Margaret LaMarche assisted the Board in conducting the hearing. A certified court reporter recorded the proceedings. The hearing

was closed to the public at Respondent's request, pursuant to Iowa Code section 272C.6(1)(2007) and 193 IAC 7.25(2). After hearing the testimony and examining the exhibits, the Board convened in closed executive session, pursuant to Iowa Code section 21.5(1)(f)(2007) to deliberate its decision. The Board instructed the administrative law judge to prepare these Findings of Fact, Conclusions of Law, Decision and Order, in conformance with their deliberations.

THE RECORD

The record includes State's Prehearing Conference Report, the testimony of the witnesses, and State Exhibits 1-17.

FINDINGS OF FACT

1. Respondent is a certified general real property appraiser in the state of Iowa. Respondent's Certified General Certificate, No. CR01278, was issued on January 10, 1992. Respondent works as a farm manager, appraiser, and real estate broker and estimates that he spends 40% of his time appraising residential and farm properties. (Testimony of Respondent; State Exhibits 1, 12)

1807 1st Ave., Vinton, Iowa

2. In May 2006, a review appraiser sent the Board a copy of the original appraisal report prepared by Respondent for the residential property located at 1807 1st Ave. in Vinton, Iowa. The review appraiser had been asked to perform a review of the appraisal but refused the assignment due to the report's poor quality. (State Exhibit 2, 3). After obtaining Respondent's work file for the appraisal (State Exhibit 4), the Board asked Certified Residential Real Property Appraiser Nancy Larson to perform a Standard Three review of the appraisal report. Nancy Larson has extensive training and experience as a certified appraiser in the state of Iowa and has provided investigation and review services to the Board since January 1, 2006. (State Exhibits 5-7).

Ms. Larson identified numerous serious errors and deficiencies in Respondent's appraisal report, which led her to conclude that the report lacks credibility, is misleading and fraudulent, and was performed in a careless and negligent manner. Upon review of the entire record, including Ms. Larson's testimony and Respondent's testimony explaining his methodology and thought process in performing the appraisal and preparing the report,

the Board agreed with the vast majority of Ms. Larson's criticisms. The Board was satisfied that Respondent sufficiently identified his report as a summary appraisal report. In addition, the Board was unable to conclude that the Respondent acted fraudulently or that he intended to misrepresent the property's value. Rather, the numerous serious errors and deficiencies in the report are clearly due to Respondent's lack of education or knowledge and his incompetence and negligence in the development and reporting of property appraisals.

Respondent's summary appraisal report for the property located at 1807 1st Avenue in Vinton, Iowa failed to comply with the Uniform Standards of Professional Appraisal Practice (USPAP) in the following key respects:

Property Description

a. Respondent failed to sufficiently identify and report the relevant characteristics of improvements and any effect they have on the appraisal and failed to summarize information sufficient to identify the real estate involved in the appraisal, including the physical and economic property characteristics relevant to the assignment, in violation of USPAP sections 1-2(e)(i-v), 2-2(b)(iii).

- Respondent's report states that the subject property was built in 1940 with an addition in 2005, but he provides no elaboration in the comments section to describe the 2005 improvements.
- Respondent's entire report, from the grid to the cost approach, is entirely based on 4000 square feet above grade. The assessor's website, however, lists the property's square footage as 2240 square feet above grade and includes a sketch that is very similar to Respondent's sketch. Respondent's appraisal report fails to describe what changes or improvements were made to the property to account for the very significant increase in square footage from the figure provided on the assessor's website.
- Respondent provides no information, measurements, or explanation in the report to support his square footage calculation. Respondent included a sketch of the property, but provides no dimensions. Respondent's work file has no information to support the square footage calculation.

At hearing, Respondent explained that the homeowner had converted the existing garage to living quarters in 2005 and

added a new attached two car garage. Respondent paced off the property and concluded that the home has 3982 square feet, which he rounded up to 4000 square feet. It is not an acceptable or recognized practice for certified appraisers to "pace off" a property to determine its square footage for purposes of developing an appraisal. While it is likely that the property was closer to 4000 square feet than the 2240 square feet reflected on the assessor's webpage, Respondent's report completely failed to support the square footage calculation and provided no description of the improvements.

- Respondent's report does not describe the neighborhood boundaries. It is important to specifically identify the neighborhood boundaries because it helps to identify both the property and what properties would be considered comparable. Given the size of Vinton (population 5,000) the neighborhood might be the entire town, but there may also be defined areas within Vinton, such as commercial areas or older areas, that are relevant to the subject.
- Respondent describes the neighborhood as having one-unit housing ranging in value from \$100,000 to \$250,000 with the median pricing being \$200,000. However, Respondent did not explain in the report how he arrived at these numbers, and the Vinton community web page states that the median price for single family owner occupied homes in Vinton is \$53,000. Respondent valued the subject property at \$260,000, which is outside the high end of the price range that he provided. This is not addressed or explained by Respondent.
- Respondent describes the housing age in the neighborhood as ranging from 5-20 years, with the predominant age of 10 years. Respondent provided an effective age for the subject property of 30 years, which is outside the age range that he provided for the neighborhood. Respondent states that the property is in very good condition with recent remodeling and add-ons, however this information is inconsistent with an effective age of 30 years. No explanations are provided.

At hearing, Respondent explained that his information on median pricing is based on his substantial experience as a residential real estate salesperson in the Vinton market, and he disputed the accuracy of the figures provided on the city website. Even if this is true, Respondent did not provide this explanation in his report nor does he support the statistics that he provides with any studies or market data. Respondent's work file also does not provide support for the figures that he uses. At

hearing, Respondent further explained that he arrived at the effective age of 30 years because half of the subject property was built in 1940 and half was built in 2005. Respondent's report does not explain or justify an effective age of 30 years.

b. Respondent failed to sufficiently identify and report any physical, functional, or external factors that affect the improvements and the appraisal, in violation of USPAP sections 1-2(e) (i-v) and 2-2(b) (iii).

- Respondent's report states that the property generally conforms to the neighborhood but then includes the comment that the property is larger than anything in the neighborhood. If the property has 4000 square feet, it is an over-improvement for the area and this should have been addressed as functional obsolescence.
- In the Cost Approach, Respondent makes a \$21,000 adjustment for functional depreciation, but fails to provide any explanation for how he arrived at this figure or what it represents. At hearing, Respondent testified that he included the \$21,000 functional depreciation to address the size of the home.

Valuation

c. Respondent failed to explain and support his exclusion of the Income Approach to value, in violation of USPAP section 2-2(b) (ix) (xi). Respondent conceded this violation at hearing and stated that he "just missed it."

Cost Approach

d. Respondent failed to properly value the site, in violation of USPAP sections 1-4(b) (i) and 2-2(b) (iii) (vii) (ix). The report states only that the land value was from "sale of bare lots in area." Respondent provides no supportive information concerning the other sales.

e. Respondent failed to collect, verify, analyze and recognize the cost of new improvements, in violation of USPAP sections 1-4(b) (ii) and 2-2(b) (iii) (vii) (ix).

- Respondent used the figure of \$105.00 per square foot in his cost approach and applied it to 4000 square feet but did not address basement or garage square footage at all. It is unclear whether the 4000 square feet included the basement and the garage.

- Respondent does not explain how he arrived at his construction cost figure. Respondent testified that this figure was obtained from his conversations with area contractors, but neither the report nor the work file provides any support or justification for the construction cost figure.

f. Respondent failed to identify, verify, analyze and reconcile accrued depreciations, in violation of USPAP sections 1-4(b)(iii) and 2-2(b)(iii)(vii)(ix).

- The effective age of 30 years provided in the report is inconsistent when the property is described as in "very good" condition with recent remodeling and add-ons.
- Respondent takes physical depreciation based on the total economic life of 60 years, resulting in depreciation that is 50% of total cost (\$210,000). Respondent then takes an additional \$21,000 for functional depreciation but the report fails to explain why. The total amount of depreciation is inconsistent for a recently remodeled home in very good condition.

g. Respondent failed to correctly employ recognized methods and techniques, e.g. the Cost Approach, in violation of USPAP section 1-1(a) and 2-2(b)(iii)(vii)(ix). Respondent's Cost Approach completely lacked credibility, and it is apparent that he does not understand the Cost Approach to value.

Sales Comparison Approach

h. Respondent failed to select and identify sales similar to the subject, failed to collect, verify, analyze, and reconcile comparable sales, and completely failed to correctly employ the Sales Comparison Approach to value, in violation of USPAP sections 1-1(a), 1-4(a), and 2-2(b)(iii)(vii)(ix).

- The comparable sales selected by Respondent were all from Vinton but in all other respects are dissimilar from the subject property. The subject property is a 2-story home, presumably with 4000 square feet above grade, although Respondent never supported his square footage calculation. Comparable Sale 1 selected by Respondent was a split foyer; Comparable Sale 2 was a ranch, and Comparable Sale 3 was a two-story. On Sales 1 and 2, Respondent inappropriately combined above ground and below ground square footage to artificially credit the homes with more above ground square footage than they actually contained, which is inconsistent

with typical methodology. Respondent then proceeded to make adjustments based on the incorrect property descriptions for the comparables. Respondent's adjustments, including his adjustments for deck/patio and quality of construction, were unsupported and inconsistent.

At hearing, Respondent attempted to explain the rationale behind his comparable sales selection. Respondent testified that in 2005-2006 there were no sales in Vinton that were even remotely comparable to the subject property. Respondent chose properties that were not comparable, but then attempted to make them more comparable by treating below ground square footage as though it was above ground and making multiple adjustments.

Request For Respondent's Log

3. After reviewing Nancy Larson's Standard 3 Review, the Board requested a log of all appraisals prepared by Respondent between April 18, 2006 and August 15, 2006. The log included 10 farm appraisals, 1 residential appraisal, and 3 rural residential appraisals. The Board selected the residential appraisal and one rural residential appraisal for review. (State Exhibit 8) Reviewer Jody McCaskey reviewed Respondent's appraisal of an acreage in Benton County. Respondent called the work product an "appraisal" and arrived at an estimated value but also included a disclaimer that the "market analysis" did not comply with USPAP. It was apparent that Respondent intended to prepare the report as a real estate broker's market analysis and not as an appraisal report. He should have properly identified the report as a "market analysis" and should not have called it an "appraisal." (State Exhibits 10, 11).

2116 W. 4th Street, Vinton, Iowa

4. Certified Residential Real Property Appraiser Teresa Selberg reviewed Respondent's appraisal report for the residential property located at 2116 W. 4th Street in Vinton, Iowa. Ms. Selberg has extensive training and experience as a certified appraiser in the state of Iowa. Ms. Selberg identified many deficiencies and errors in this report that are similar to those identified by Ms. Larson in her review of the 1st Ave. appraisal report.

Neighborhood

a. Respondent failed to adequately and reasonably describe factors affecting marketability, failed to adequately

and reasonably describe neighborhood boundaries, and failed to reasonably discuss and analyze market area trends, in violation of USPAP 1-1 (a), (b), (c); 1-2(e); 1-3(a); 1-4(g); 2-1(b); 2-2(a), (b), and (c).

- Respondent defines the neighborhood as Vinton, which he describes as the county seat community located between the large cities of Cedar Rapids and Waterloo—each being 30 miles from Vinton. This essentially makes Vinton a commuter or bedroom community for these two cities, and Respondent should have chosen comparable sales either from Vinton itself or from bedroom communities with similar commutes to one of the two larger cities. Respondent had no comparables within Vinton. Comparable Sale #1, located in Urbana, Iowa, was most reflective of Vinton. Comparable Sale #2 and #3 were both from Robbins, Iowa, which is located on the traffic artery into Cedar Rapids and is more of a suburb than a bedroom community.
- Respondent treated all three comparables as though the neighborhood was the same as Vinton and failed to provide a location adjustment for the subject's longer commute or to provide a rationale for not making a location adjustment.¹ At hearing, Respondent asserted that the benefits of small town living in Vinton offset its longer commute, but he was unable to provide any market studies or matched pair analysis to support this theory.
- In addition, Nancy Larson reviewed the report just prior to the hearing and observed that while this appraisal was performed and reported only three months after the appraisal in Exhibit 3 and both properties are located in Vinton, Respondent provides different values for one-unit housing values in the two appraisal reports. For this appraisal, Respondent reports a low value of \$75,000 and a high of \$350,000, with \$140,000 as the predominant value. In the previous reviewed appraisal, Respondent's low value was \$100,000 and his high was \$250,000.

Description of Improvements

b. Respondent failed to identify and adequately describe the relevant characteristics of improvements and any effect on value, in violation of USPAP 2-2(a), (b), (c).

¹ As observed by Nancy Larson, this is in contrast to the appraisal report for the Vinton property on 1st Avenue, where Respondent made \$15,000 location adjustments for two of his comparable sales, even though both properties and the subject property were located in Vinton. (Testimony of Nancy Larson; State Exhibits 3, 5)

- Respondent does not reflect that geothermal heat is an upgrade.
- Respondent describes the subject as a two story without explanation, while the assessor's information indicates that it is a 1.5 story. This confusion could have been easily cleared up by providing more descriptive detail, by including the property's plans and specifications, or by including a sketch that shows both the first floor and the second floor.
- Respondent lists the square footage of the subject as 2521 square feet, while the assessor's information states that the property has 2468 square feet.

Cost Approach

c. Respondent failed to provide cost estimates that are market oriented and supported, in violation of USPAP 1-4(b)(i) and 2-2(b)(ix). Respondent's cost estimates appeared high and were not market oriented. He states only that his replacement cost figures are "obtained from builders in the area and the appraisers knowledge of building costs."

Sales Comparison Approach

d. Respondent failed to select and identify sales similar to and from the same market area of the subject, failed to adequately collect, verify, and report comparable sales, and failed to correctly employ recognized methods and techniques, in violation of USPAP 1-1(a), (b), (c); 1-4(a), (b); and 2-2(a), (b), (c) (ix).

- See points made under Neighborhood for choice of comparables and lack of location adjustments.
- Respondent has Comparable Sale #1 listed as a 1.5 story, when the assessor's information states that it is a ranch.
- Comparable Sale #3 is more than one year old but Respondent offers no explanation for why he selected it. Respondent gave a huge adjustment on Comparable Sale No. 3 for Basement and Finished Below Grade Square Footage (\$21,200), but never mentions or comments on the fact that the assessor's information for Comparable No. 3 shows that it has 990 square feet of finish.

Respondent's appraisal report is confusing in several other respects. Respondent checks on the form that his research did

not reveal any prior sales, but then lists prior lot sales for the subject and for one of the comps. These are clearly relevant, but Respondent provides no description concerning the size of the lot or whether the transfer was an arm's length transaction. (Testimony of Teresa Selberg; Nancy Larson; Respondent; State Exhibits 12-14)

CONCLUSIONS OF LAW

Iowa Code section 272C.3(2)(b)(2005) authorizes a board to revoke or suspend the privilege of a licensee to engage in one or more specified procedures, methods, or acts incident to the profession, if the board finds that because of a lack of education or experience, or because of negligence, or careless acts or omissions, or because of one or more intentional acts or omissions, the licensee has demonstrated a lack of qualifications necessary to assure the residents of this state a high standard of professional care.

Iowa Code section 272C.10(3)(2005) provides, in part, that a licensing board shall establish rules for the revocation or suspension of a license for engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.

Iowa Code sections 543D.17(1)(d), (e) and (f) (2005) provide, in relevant part:

543D.17 Disciplinary proceedings.

1. The rights of a holder of a certificate as a certified real estate appraiser may be revoked or suspended, or the holder may be otherwise disciplined in accordance with this chapter. The board may investigate the actions of a certified real estate appraiser and may revoke or suspend the rights of a holder or otherwise discipline a holder for violation of a provisions of this chapter, or chapter 272C, or of a rule adopted under this chapter or commission of any of the following acts or omissions:

...

d. Violation of any of the standards for the development or communication of real estate appraisals as provided in this chapter.

e. Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal,

preparing an appraisal report, or communicating an appraisal.

f. Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal.

Iowa Code section 543D.18(2005) provides, in relevant part:

1. A certified real estate appraiser shall comply with the uniform appraisal standards adopted under this chapter.

2. A certified real estate appraiser shall not accept an appraisal assignment or a fee for an appraisal assignment if the employment is contingent upon the appraiser reporting a predetermined estimate, analysis, or opinion or if the fee to be paid is contingent upon the opinion, conclusion, or valuation reached, or upon the consequences resulting from the appraisal assignment.

...

The legislature has vested the Board with authority to adopt rules establishing uniform appraisal standards and appraiser certification requirements and other rules necessary to enforce Iowa Code chapter 543D.18 and its responsibilities under chapter 272C. Iowa Code section 543D.5.

In accordance with this authority, the Board has adopted, by rule, the Uniform Standards of Professional Appraisal Practice (USPAP). 193F IAC 7.1. See State Exhibits 15, 16.

193F IAC 7.2 provides, in relevant part:

193F-7.2(543D) Grounds for disciplinary actions against certificate holders and associate registrants.

The grounds for revocation and suspension of certificates and associate registrations and other disciplinary actions are set out in Iowa Code section 543D.17 and Iowa Code chapter 272C in both specific and general terms. The general terms of those provisions of the Iowa Code include the following particular grounds for such disciplinary action:

...

7.2(2) Dishonesty, fraud or gross negligence in the development of an appraisal within the meaning of Iowa

Code section 543D.17(1)"f," includes making misleading, deceptive or untrue representations in preparing or communicating an appraisal.

...

7.2(5) Failure to comply with the USPAP applicable at the time of the development and communication of a real estate appraisal.

...

7.2(8) A violation of Iowa Code chapter 272 shall be grounds for discipline.

The preponderance of the evidence established that the Respondent violated Iowa Code sections 272C.10(3); 543D.17(1)(d), (e), and (f), 543D.18(1) and 193F IAC 7.1, and 7.2 (2), (5), and (8) by repeatedly failing to adhere to appraisal standards in the development, preparation and communication of appraisals and by failing to exercise reasonable diligence and by demonstrating negligence or incompetence in the development, preparation and communication of appraisals.

The preponderance of the evidence further established that Respondent violated Iowa Code sections 272C.3(2)(b) and 272C.10(3) by engaging in practices harmful or detrimental to the public and by repeatedly demonstrating, through lack of education, negligence, and/or carelessness or omissions, a lack of qualifications necessary to assure the public a high standard of professional care.

The numerous USPAP violations established in this record reflect Respondent's complete lack of fundamental knowledge concerning the development, preparation, and communication of appraisals as well as a pattern of professional negligence and carelessness. Respondent clearly does not understand the Cost Approach or the Sales Comparison Approach to Value. In order to adequately protect the public from incompetent property appraisals, Respondent must be required to complete substantial educational remediation in a class-room setting, followed by a period of desk review. Given the significant deficiencies in Respondent's professional knowledge and in his application of knowledge to appraisal practice, the Board has determined that pending his completion of the education intervention, Respondent will not be permitted to release any of his appraisal reports to the public without first submitting the reports for desk review.

DECISION AND ORDER

IT IS THEREFORE ORDERED that Iowa general certificate number CR01278, issued to David W. Wessling, is hereby placed on INDEFINITE PROBATION, effective immediately upon service of this Decision and Order, and subject to the following terms and conditions:

A. **Education.** Within ninety (90) days of the issuance of this Decision and Order, Respondent shall complete the following educational courses in a class room setting and shall forward certificates of completion to the Board:

- (1) a 15-hour tested USPAP course;
- (2) a 30-hour course on the Sales Comparison and Income Approaches to Value;
- (3) a 15-hour course on residential appraiser site valuation and cost approach to value; and
- (4) a 7-hour course on narrative report writing.

All courses must be pre-approved by the Board. These courses may not be used by Respondent for license renewal.

B. **Desk Review.** Within thirty (30) days of the issuance of this Decision and Order, Respondent must enter into a desk review consultation agreement with a desk reviewer who is pre-approved by the Board. Respondent must submit a copy of the consultation agreement to the Board, which shall include a copy of this Decision and Order to ensure that the desk reviewer is familiar with its terms.

Prior to completion of the education outlined in section A, **ALL** of Respondent's appraisal reports must be desk reviewed in accordance with the procedure outlined below before the reports are released to the client. Following completion of the required education and for as long as he remains on probationary status, Respondent shall submit, by the 10th day of each month, a monthly log of all appraisals he has completed in the preceding month. The Board will then randomly select the appraisal reports to be submitted to Respondent's pre-approved desk reviewer. The Board will select no more than two appraisals for review each month.

- (1) The desk reviewer shall perform a Standard Three desk review of each appraisal report selected by the Board. The review shall be for compliance with USPAP.

The reviewer will not perform inspections or warrant the accuracy of Respondent's work product, but will review work papers, calculations and any other documents reasonably needed. Along with appraisal reports and work files, Respondent shall provide the reviewing appraiser copies of all documents verifying the accuracy of factual representations in each draft appraisal.

(2) The reviewer shall prepare written comments on each appraisal's compliance with USPAP, and shall provide copies of the written comments both to the Board and to Respondent. If the desk reviewer's comments reveal significant USPAP violations that make the previously issued appraisal report misleading, Respondent shall correct and reissue the appraisal report to the client. In the event a report is reissued, Respondent shall disclose the professional assistance of the desk reviewer in the reissued report.

(3) Respondent shall promptly provide the Board with a copy of each appraisal report submitted for review, a copy of the desk reviewer's review report, the work file, and a copy of any reissued report.

(4) Respondent may not change desk reviewers without prior written approval by the Board.

(5) Respondent's indefinite probationary status will continue until: (a) the Board has received at least six (6) appraisals (3 residential and 3 agricultural) with associated review reports that do not have significant USPAP violations², and (b) the Board determines that Respondent has derived maximum benefit from the desk review process.

(6) The Board may file additional charges if one or more of the appraisals submitted for desk review demonstrate probable cause to take such action on an appraisal that was issued to the public.

(7) Respondent shall not act as a review appraiser and shall not co-sign appraisals with any other associate or certified appraiser and shall not supervise the

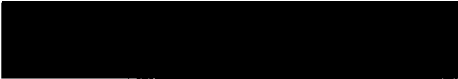
² These reports must have been prepared following Respondent's completion of the required education.

work product of an associate appraiser or unlicensed appraiser until he is released from probationary status.

IT IS FURTHER ORDERED that Respondent shall be responsible for all costs associated with compliance with this Decision and Order, including all costs of education and desk review.

IT IS FURTHER ORDERED pursuant to Iowa Code section 272C.6 and 193 IAC 7.41, that the Respondent shall pay \$75.00 within thirty (30) days of receipt of this decision for fees associated with conducting the disciplinary hearing.

Dated this 25 day of September, 2007.

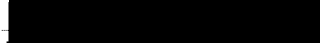

Michael Larb, Chairperson
Iowa Real Estate Appraiser Examining Board

cc: Pamela Griebel
Assistant Attorney General
Hoover State Office Building, 2nd Floor
Des Moines, Iowa 50319

Judicial review of the board's decision may be sought in accordance with the terms of Iowa Code chapter 17A. 193 IAC 7.37.

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

FILED 9/15/09 (Date)
IA RE. Appr. Exam. Board
Board/Commission

IN THE MATTER OF:)		
	)	CASE NO. 06-34	
David W. Wessling	)		Signature, Executive Officer
CG01278	)	AGREED AMENDMENT TO	
	)	FINDINGS OF FACT, CONCLUSIONS	
Respondent	)	OF LAW, DECISION AND ORDER	

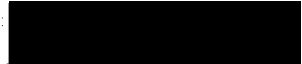
The Iowa Real Estate Appraiser Examining Board and Respondent agree to amend the Findings of Fact, Conclusions of Law, Decision and Order entered September 25, 2007, as follows:

1. The Respondent has complied with the terms and conditions of the Board's September 25, 2007 Order.
2. The Respondent's certificate is scheduled to expire on June 30, 2009.
3. Rather than continue complying with the Order and addressing the continuing issues arising in the desk reviews, Respondent has decided to allow his certificate to lapse and to cease real estate appraising in Iowa as a certified appraiser.
4. With Respondent's retirement from the practice, the Board closes the case.

AGREED AND ACCEPTED:

The Respondent

The Iowa Real Estate Appraiser
Examining Board





David Wessling

Michael Lara, Chair

8-31-09

9/15/09

Date

Date