

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

IN THE MATTER OF:)	
KEITH J. WESTERCAMP)	CASE NO. 94-01
CERTIFICATE NO. [REDACTED])	
)	COMPLAINT
RESPONDENT)	

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 (1994).
3. On December 2, 1991, Keith J. Westercamp, 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 a violation of the standards for the development and communication of two real estate appraisals pursuant to Iowa Code Sections 543D.17(1)(d) and 543D.18(1)(1994) and Iowa Administrative Code 193F-7.1(5).

COUNT II

The Respondent is charged with failing to exercise reasonable diligence in the preparation and communication of two real estate appraisals in violation of Iowa Code Section 543D.17(1)(e)(1994).

COUNT III

The Respondent is charged with negligence and incompetence in the preparation and communication of two real estate appraisals in violation of Iowa Code Section 543D.17(1)(f)(1994).

CIRCUMSTANCES

1. The Respondent prepared and communicated two (2) appraisals for real property described as Part of Lot 3 Interstate Properties, 5th addition to Cedar Rapids, Iowa. The subject is a part of Lot 3 with new legal and plat to be drawn up on the subject. The area being appraised is in the site plan in the addendum of the report (Proposed Super 8 Motel, 720 3rd Avenue, S.W.; Cedar Rapids, Iowa). The second appraisal is Lot 1 Hiawatha North, 3rd addition to Hiawatha, Iowa (925 North Compton Drive; Hiawatha, Iowa).
2. The above appraisals were prepared and communicated after the Respondent was issued Iowa Certified General Real Property Certificate No. [REDACTED]
3. The reports contain deficiencies including but not limited to the following:
 - a. Failure to prominently state reporting option used. 2-2
 - b. Failure to accurately state the effective date of the appraisal and the date of the report. 2-2(v), 2-1(a)
 - c. Failure to define the value to be estimated. 2-2(iv)
 - d. Failure to adequately identify the real estate. 1-2(a), 2-2(i)
 - e. Failure to appropriately value site. 1-4(a), 1-1(a)
 - f. Failure to correctly analyze cost new of improvements. 1-4(b)(i), 1-1(a)
 - g. Failure to summarize the information considered and reasoning that supports the analyses, opinions and conclusions. 2-2(viii), 2-1(a)
 - h. Failure to provide clear and appropriate data for future rent/expenses. 1-4(c)
 - i. Failure to adequately reconcile final estimate of value. 2-2(xi)
 - j. Failure to contain sufficient information to enable person(s) who are expected to receive or rely on the report to understand it correctly. 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 _____ day of _____, 1995 the Iowa Real Estate Appraisal 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**

IN THE MATTER OF:

KEITH J. WESTERCAMP
RESPONDENT

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CASE NO. 94-01

CONSENT AGREEMENT

COMES NOW the Iowa Real Estate Appraiser Examining Board (the Board) and Keith J. Westercamp (Respondent), and pursuant to Iowa Code section 17A.10 and 272C.3(4) (1995) and 193F Iowa Administrative Code section 8.7, enter into the following Consent Agreement of the contested case currently on file:

1. Respondent was officially licensed as a certified general real property appraiser in the state of Iowa on December 2, 1991 and holds license number [REDACTED]. Respondent's license is current until June 30, 1997.
2. The Board has jurisdiction of the parties and the subject matter.
3. Respondent shall obtain (15) hours of classroom continuing professional education within three (3) months from the date this agreement is executed by the Board. The education shall be tested and cover the Uniform Standards of Professional Appraisal Practice. The 15 hours shall not be counted towards the renewal requirement of 193F - 6.1(1).
4. Respondent shall submit to the Board a written education plan within thirty (30) days of receiving this agreement. The respondent shall submit to the Board documentation of classes completed within ten (10) days after completion of the classes.
5. Respondent shall submit to the Board, within four (4) months after completion and documentation of the fifteen (15) hours of continuing education, an appraisal log of all appraisal reports issued in the first 3 months following the completion of the continuing education requirement described in No. 3 above. The log must contain the client's name, property address, date of the report, file numbers and the type of property. Upon review, staff will select two appraisals for review.
6. Should Respondent violate the terms of this Consent Agreement in any respect, the Board may institute formal disciplinary proceedings. This agreement shall be made part of the permanent record of the Iowa Real Estate Appraiser Examining Board, and may be considered by the Board in determining the nature and severity of any future disciplinary action.

7. This Consent Agreement is subject to approval of the Board. If the Board fails to approve this Consent Agreement, it shall be of no force or effect to either party.

8. This Consent Agreement is voluntarily submitted by the Respondent to the Board for its consideration.

9. This Consent Agreement is public record available for inspection and copying in accordance with Chapter 22 of the Iowa Code.

DATE

July 7, 1995


Keith J. Westercamp, Respondent ✓

This Consent Agreement is accepted by the Iowa Real Estate Appraiser Examining Board on this 11th day of AUGUST, 1995.


L. CRAIG HARRIS
Chairperson
Iowa Real Estate Appraiser
Examining Board