

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

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IN THE MATTER OF:	)	
	)	<b>CASE NO. 96-10</b>
DIANNE L. ELLIS	)	
	)	CONSENT AGREEMENT
IOWA CERTIFICATE NO. [REDACTED]	)	
	)	
RESPONDENT	)	

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The Iowa Real Estate Appraiser Examining Board (Board) and Dianne L. Ellis (Respondent) enter into the following Consent Agreement pursuant to Iowa Code section 17A.10 and 272C.3(4) (1997), chapter 543D (1997) and Iowa Administrative Code 193F section 8.7:

1. Respondent is a state licensed appraiser. Respondent's certification is currently inactive.
2. The Board has jurisdiction of the parties and the subject matter pursuant to Iowa Code chapters 17A, 272C, and 543D.
3. The Board, after investigating a disciplinary complaint, has determined that this is a first offense involving the Respondent's compliance with the Uniform Standards of Professional Appraisal Practice and that a Consent Agreement pursuant to 193F – IAC 8.7 is an appropriate means of resolving the complaint.
4. By freely and voluntarily agreeing to this Consent Agreement, Respondent waives all right to a hearing and all attendant rights, including the right to appeal. Once entered, this Agreement shall have the force and effect of a disciplinary order entered following contested case hearing.
5. 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.
6. This Consent Agreement is public record, available for inspection and copying in accordance with Chapter 22 of the Iowa Code.
7. Failure to comply with the provisions of this agreement shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1997) and 193F – IAC 8.7. However, no action may be taken against Respondent for violations of these provisions without an opportunity for a hearing or waiver of hearing.

8. 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:**

9. Desk Review. Respondent shall develop a desk review consultation agreement with an Iowa certified general real estate appraiser in good standing and preapproved by the Board on the following terms and conditions:
- a. After the date this agreement is accepted by Respondent and the Board, Respondent shall reinstate her certificate to active status and shall submit all appraisals completed after reinstatement for prerelease desk review until this condition is removed upon Respondent's petition to the Board.
  - b. An executed copy of the desk review consultation agreement shall be submitted to and approved by the Board prior to implementing the desk review agreement.
  - c. The review appraiser shall perform a desk review of each appraisal before the final appraisal is signed, certified and submitted to the client. The review shall be for facial compliance with the Uniform Standards of Professional Appraisal Practice. The reviewer is not expected to perform field work or warrant the accuracy of Respondent's work product. The reviewer should review field notes, working files and such other documents as reasonably needed to assess the Respondent's use of acceptable appraisal methodology.
  - d. The terms of this document shall be incorporated within or attached to the desk review consultation agreement to ensure the reviewer's familiarity with the required terms of the desk review process.
  - e. The reviewer shall prepare written comments on each appraisal reviewed. The reviewer's recommended revisions or corrections, if any, shall be incorporated into each appraisal prior to its release to the client. A copy of the reviewer's written comments shall be submitted to the Board directly from the reviewer at the same time they are submitted to Respondent. The comments do not need to be received by the Board prior to the release of the appraisal. The Respondent shall provide the Board copies of the appraisal as initially submitted to the reviewer and as finally released to the client within 15 days of a Board request for such documents. The Respondent shall highlight any changes between the initial draft and the final appraisal before sending these documents to the Board.

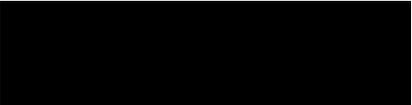
- f. Consistent with USPAP, appraisals subject to desk review must disclose any significant professional input by the desk reviewer.
  - g. Once five (5) appraisals have been reviewed, the Respondent may petition the Board in writing for release from prerelease review. The Board shall release Respondent from the desk review requirement if the review comments and appraisals do not reveal significant deviations from minimum appraisal standards. If the appraisals or review comments do reveal significant deviations from minimum appraisal standards, the review process shall continue until further order of the Board. Respondent may petition the Board in writing for release from desk review after an additional five (5) appraisals are reviewed.
  - h. This settlement shall not preclude the Board from filing disciplinary charges if one or more of the appraisals subject to desk review demonstrate probable cause to take such action, although due consideration will be given to the educational component of the desk review process and the risk of potential harm to the public.
10. The Respondent shall complete the following educational courses, all of which may be counted toward the continuing education requirement for certification of renewal:
- a. Thirty (30) tested hours covering the income approach, sales comparison approach and cost approach.
11. The Respondent shall, within sixty days from the date this Consent Agreement is signed, submit an educational plan to the Board for course approval.
12. The course work shall be completed by June 30, 2000. Documentation of education shall be submitted within ten (10) days of completion.
13. The Respondent shall submit a log of all appraisal reports completed in the first six months following successful completion of the desk review described above. The log shall be submitted seven months after the desk reviews are completed, and the Board may select one or more appraisals for review.

July 8, 1998  
Date

  
Dianne L. Ellis, Respondent

This Consent Agreement is accepted by the Iowa Real Estate Appraiser Examining Board on this 17th day of August, 1998.

8/17/98  
Date

  
Nancy Larson, Chair  
Iowa Real Estate Appraiser  
Examining Board