

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

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IN THE MATTER OF:	)	Case No. 12-333
	)	
Charles Goodall	)	
Broker (B42819)	)	
	)	
Goodall Properties, LLC	)	<b>COMBINED STATEMENT OF</b>
9325 Bishop Drive, Ste. 130	)	<b>CHARGES, INFORMAL</b>
West Des Moines, Iowa 50266	)	<b>SETTLEMENT AGREEMENT</b>
	)	<b>AND CONSENT ORDER IN A</b>
	)	<b>DISCIPLINARY CASE</b>
Respondent	)	

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The Iowa Real Estate Commission (Commission) and **Charles Goodall** (Respondent) enter into this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order in a Disciplinary Case (Order) pursuant to Iowa Code Sections 17A.10(1) and 272C.3(4) (2011).

1. The Commission issued the Respondent real estate broker license number B42819 on February 2, 2010. Respondent's license is current and in full force and effect through December 31, 2014. At all times relevant to this matter, the Respondent was a licensed real estate broker, assigned to Iowa Realty, a licensed real estate firm, license number FO0710 located in West Des Moines, Iowa.

2. The Commission has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543B (2011) Licenses issued by the Commission are subject to the laws of the State of Iowa and to the administrative rules of the Commission.

**Statement of Charges**

Count I

3. Respondent is charged with engaging in practices harmful or detrimental to the public, and failing to diligently exercise reasonable skill and care in providing brokerage services to all parties in violation of Iowa Code section 543B.5(7), 543B.29(1)(c), 543B.34(1), 543B.56(1)(a) & (b) and 543B.56A by negotiating the rental or lease of property without a written property management agreement authorized by the Respondent's employing broker. See 193E Iowa Admin Code section 15.1(543B) and 18.14(5)(s).

### Count II

4. Respondent is charged advertising real estate under an unlicensed tradename in violation of Iowa Code chapter 543B.34(1); and 193E Iowa Admin. Code chapter 10.1(543B), 10.1(3) and 18.14(5)(s).

### Count III

5. Respondent is charged with advertising in a manner that was misleading, deceptive or intentionally misrepresented any property, terms, values or policies and services of the brokerage. See Iowa Code section 543B.29(1), 543B.34(1); and 193E Iowa Admin Code section 10.1(2) & (3) and 18.14(5)(s).

### Circumstances

6. The Respondent in advertising properties for rent or lease did not have required written property management agreements between the owners of the advertised properties and his employing broker.

7. The Respondent advertised properties available for rent or lease on the under Goodall Properties, LLC, an unlicensed tradename.

8. The Respondent advertised properties for rent or lease under a name other than his employing brokerage name while including in the advertising his status as an employee of the brokerage.

### **Settlement Agreement**

9. Without admission of wrongdoing or guilt, the Respondent agrees to resolve the charge with an Informal Settlement Agreement.

10. Respondent acknowledges that he has a right to receive notice of the above-stated charges and to request a hearing before the Commission on the merits of the charges. By freely and voluntarily entering into this Order, the Respondent waives his right to notice and a hearing and all attended rights, including the right to seek judicial review. The Order constitutes discipline against the Respondent, and is the final agency order in this contested case pursuant to Iowa Code section 17A.10 and 193 Iowa Admin Code 7.4.

11. Respondent agrees that the State's attorney and/or Commission staff may present this Order to the Commission and may have *ex parte* communications with the Commission while presenting it. Respondent waives any right of notice of this meeting or any right that the Respondent may have to participate in the discussion of this Order among the Commission, the Commission staff and the State's attorney.

12. This Order shall be part of the permanent record of the Respondent and shall be considered by the Commission in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations of the laws and rules governing the practice of real estate by the Respondent.

13. Failure to comply with the terms of this Order shall be prime facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a)(2011) and shall be grounds for further disciplinary action. However, no action may be taken against the respondent for violations of this Order without a hearing, or waiver of hearing.

14. This Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members.

(a) In the event that this Order is rejected by the Commission it shall be of no force or effect to either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Commission approves this Order, it shall fully dispose of all issues in this case.

15. Upon acceptance by both the Commission and the Respondent, this Combined Statement of Charges, Informal Settlement and Consent Order shall be made a public record available for inspection and copying in its entirety in accordance of Iowa Code chapter 212 (2011).

### **Consent Order**

16. **CIVIL PENALTY.** The Respondent shall pay a civil penalty to the Commission in the amount of \$2,000 (\$1,000 for Count I, and \$500 for each Count II and Count III) no later than 180 calendar days after acceptance of this Order by the Commission. The civil penalty must come under a cover letter addressed to the Commission's Executive Officer and refer to case 12-333.

17. **FUTURE COMPLIANCE.** Respondent agrees that at all future times she shall fully and promptly comply with all pertinent orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

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**WHEREFORE**, the terms of this Combined Statement of Charges, Informal Settlement Agreement, and Consent Order are agreed to and accepted by the Iowa Real Estate Commission and the Respondent.

**FOR THE RESPONDENT:**

Voluntarily agreed to and accepted by **Charles Goodall** on this 8 day of March, 2013.

By **CHARLES GOODALL**, Respondent

State of IOWA )

County of DALLAS )

Signed and sworn to before me on this 8 day of MARCH, 2013, by

Notary Public, State of Iowa

Printed Name: DUSTY MORRISON

My Commission Expires: 2.5.2015



**FOR THE COMMISSION:**

Voluntarily agreed to and accepted by the **IOWA REAL ESTATE COMMISSION** on this 4 day of April, 2013.

**JUDITH E. STEVENS**, Chair  
Iowa Real Estate Commission