

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

<p>IN THE MATTER OF:</p> <p>CHAD HAWKER CR01887</p> <p>Respondent.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 06-14, 06-16, 06-50, 06-62</p> <p>NOTICE OF HEARING AND STATEMENT OF CHARGES IN A DISCIPLINARY CASE</p>
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The Iowa Real Estate Appraiser Examining Board ("Board") issues this Notice of Hearing pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa certified residential real estate appraiser certificate number CR01887 on May 29, 1998. The registration is active and will next expire on June 30, 2008. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C, and 543D (2005).

**A. TIME, PLACE AND NATURE OF HEARING,
AND HEARING PROCEDURES**

1. **Hearing.** A disciplinary contested case hearing will be held before the Board on the **23rd day of February, 2007, at 9:30 o'clock, a.m.**, at 1920 SE Hulsizer Road, Ankeny, Iowa.
2. **Answer.** Within 20 days of the date you are served with this Notice you must file an answer to the charges as provided in 193 Iowa Administrative Code 7.9.
3. **Prehearing Conference.** A prehearing conference will be held by telephone on the **15th day of February, 2006, at 2:00 o'clock, p.m.**, before an Administrative Law Judge from the Iowa Department of Inspections and Appeals ("ALJ"). You are responsible for notifying the Board office of the telephone number at which you or your counsel can be reached. Board rules on prehearing conferences may be found at 193 Iowa Administrative Code 7.21.

4. **Presiding Officer.** The full Board shall serve as presiding officer at hearing, pursuant to Iowa Code section 272C.6(1) and 193 Iowa Administrative Code 7.10(1). The Board may request that an ALJ make initial rulings on prehearing matters, and be present to assist and advise the Board at hearing, as described in 193 Iowa Administrative Code 7.10(4).

5. **Hearing Procedures.** Board rules on hearing procedures may be found at 193 Iowa Administrative Code chapter 7, and 193F Iowa Administrative Code chapter 8. You have the right to respond to the charges, produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. Consult rule 193 Iowa Administrative Code 7.22 if you need to request an alternative time or date. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

6. **Default.** If you fail to appear at hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 193 Iowa Administrative Code 7.27.

7. **Prosecution.** Licensee disciplinary cases are prosecuted by an Assistant Attorney General acting on behalf of the public interest (the State). Copies of all pleadings shall be filed with the Board, with copies mailed to: Assistant Attorney General Pamela Griebel, Iowa Department of Justice, Hoover Building, 2nd Fl., and Des Moines, Iowa, 50319. Phone: 515-281-6403; Fax: 515-281-7551; E-mail: pgriebe@ag.state.ia.us.

8. **Respondent's Counsel.** Copies of all pleadings filed with the Board shall be provided to: No counsel noted.

9. **Settlement.** The procedural rules governing the Board's settlement process are found at 193 Iowa Administrative Code 7.42. If you are interested in pursuing settlement of this matter, please contact Assistant Attorney General Pamela Griebel.

10. **Communications.** You may not contact Board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office

and serve upon all parties in the case. You should direct any questions to Assistant Attorney General Pamela Griebel, or Sylvia King, the Board's Executive Officer, at 515-281-7356.

B. STATEMENT OF CHARGES

11. The Board found probable cause to file the following charges on December 12, 2006.

12. A separate summary of the factual matters asserted will be furnished to the Respondent with this Notice of Hearing.

13. Respondent is charged with failing to adhere to appraisal standards (Uniform Standards of Professional Appraisal Practice) in the development, preparation, and communication of appraisals; failure to exercise reasonable diligence in the development, preparation, and communication of appraisals; negligence or incompetence in the development, preparation, and communication of appraisals; and, failure to properly supervise an associate appraiser, in violation of Iowa Code sections 272C.10(3), 543D.17(1)(d), (e), and (f), and 543D.18(1), (2) (2005), and 193F Iowa Administrative Code sections 7.1, 7.2(2), (5), and (8), and chapter 15.

This Notice of Hearing and Statement of Charges is filed and issued on the 17th day of January, 2007.


Sylvia King, Executive Officer
Iowa Real Estate Appraiser Examining Board
1920 SE Hulsizer Road
Ankeny, Iowa 50021
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Fax: 515-281-7411
Sylvia.king@iowa.gov

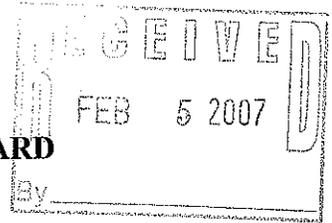
Copies to:

Assistant Attorney General Pamela Griebel

Respondent

Department of Inspections and Appeals, assigned Administrative Law Judge

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



IN THE MATTER OF:)	Case No. 06-14, 06-16, 06-50, 06-62
)	
CHAD HAWKER)	
CR01887)	
)	
Respondent.)	CONSENT ORDER

The Iowa Real Estate Appraiser Examining Board (Board) and Chad Hawker (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2005) and 193 Iowa Administrative Code 7.42:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2005).
2. Respondent was issued Iowa certified residential real estate appraiser certificate number CR01887 on May 29, 1998. The registration is active and will next expire on June 30, 2008.
3. The Board filed its Notice of Hearing and Statement of Charges on January 16, 2007. Hearing is currently set for February 23, 2007.
4. The Board charged Respondent with failing to adhere to appraisal standards (Uniform Standards of Professional Appraisal Practice) in the development, preparation, and communication of appraisals; failure to exercise reasonable diligence in the development, preparation, and communication of appraisals; negligence or incompetence in the development, preparation, and communication of appraisals; and, failure to properly supervise an associate appraiser, in violation of Iowa Code sections 272C.10(3), 543D.17(1)(d), (e), and (f), and 543D.18(1), (2) (2005), and 193F Iowa Administrative Code sections 7.1, 7.2(2), (5), and (8), and chapter 15.
5. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights by freely and voluntarily entering into this Order. This Order is the final agency order in the contested case.
6. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.
7. This Order 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.

8. This Order, the Statement of Charges, and the Statement of Matters Asserted are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2005).

9. Failure to comply with the provisions of this Order shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2005). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

10. This Order is subject to approval of the Board: (a) If the Board fails to approve this Order, 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; and (b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Reprimand. Respondent is reprimanded for failing to adhere to applicable appraisal standards in multiple appraisals and, in particular, for failing to properly supervise an associate appraiser and practicing outside the geographical area in which he and his associate appraiser are competent to perform.

B. Civil Penalty. Respondent shall pay a civil penalty of \$1,000.00 to the Board office within 30 days of the date this Consent Order is approved by the Board.

C. Education. Respondent shall complete a pre-approved classroom course on report writing that is at least 7 hours in length no later than May 1, 2007. Respondent shall provide a certificate of attendance to the Board office no later than May 15, 2007.

D. Future Compliance. Respondent shall in the future comply with all Board laws and rules, and all applicable appraisal standards. Respondent shall, in particular, comply with the provisions of 193F Iowa Administrative Code chapter 15 to assure that (1) he properly supervises associate appraisers, and (2) both he and the associate appraisers he supervises perform within a geographical area in which both are competent to perform.

AGREED AND ACCEPTED:

The Respondent/


Chad Hawker

2-2-07
Date

The Iowa Real Estate Appraiser Examining Board



Michael Lara, Chair

2/22/07
Date

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

IN THE MATTER OF:)	Case No. 06-14, 06-16, 06-50 & 06-62
)	
CHAD S. HAWKER)	
CR01887)	
McGee Appraisal Services, Inc.)	
375 Collins Road NE, Suite 342)	
Cedar Rapids, IA 52402)	ORDER VERIFYING RESPONDENT'S COMPLIANCE AND CLOSING CASE
)	
RESPONDENT)	

Now on this 11th day of July, 2007, the Iowa Real Estate Appraiser Examining Board ("Board") having reviewed the Consent Order and Respondent's compliance with the terms thereof, FINDS that Chad S. Hawker has fully and satisfactorily complied with the terms of the Consent Order, and should be released from probation.

IT IS THEREFORE ORDERED Respondent is released from probation.



Michael Lara, Board Chair

Copies to:

Assistant Attorney General Pam Griebel

Chad S. Hawker