

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

IN THE MATTER OF:)	
)	
Mary L. McKinny)	Case No. 11-17
CG02533)	
)	VOLUNTARY SURRENDER
RESPONDENT)	OF CERTIFICATE BY
)	CONSENT ORDER

The Iowa Real Estate Appraiser Examining Board ("Board") and Respondent agree as follows:

1. The Board has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543D (2011).
2. Respondent is a certified general real estate appraiser in Iowa. She was issued Certificate No. CG02533 on November 12, 2003.
3. Certificate No. CG~~01230~~⁰²⁵³³ expired on June 30, 2011. Respondent retains an active certificate in the state of Missouri, Certificate No. RA001644.
4. The Board received a complaint in May 2011 alleging that Respondent failed to adhere to applicable appraisal standards while performing appraisal services in the state of Iowa. The Board submitted the appraisal to a Standard Three desk review. In light of the concerns raised in the review, the Board requested two additional appraisals. Before the investigation concluded, Respondent allowed her certificate to expire and informed the Board she wished to voluntarily surrender her Iowa certificate.
5. Respondent has assured the Board she will not seek to reinstate her Iowa certificate.
6. Respondent has a right to a hearing on any charges brought by the Board. Respondent affirmatively and voluntarily waives Respondent's right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order.
7. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4.
8. 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.

9. 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 future actions in the event of any future violations.

10. This Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2011). Respondent understands the Board shall notify the Appraisal Subcommittee of the surrender of her Iowa certificate and that such information shall be reflected in the National Registry.

11. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2011) and may be a basis for civil penalties or injunctive relief action under Iowa Code section 543D.21 (2011). However, no action may be taken against Respondent for violations of these provisions without an opportunity for hearing, or waiver of hearing.

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

IT IS THEREFORE ORDERED that Respondent's Iowa real estate appraiser certificate is **SURRENDERED**. Respondent shall not seek to reinstate her surrendered certificate.

AGREED AND ACCEPTED:

The Respondent

Iowa Real Estate Appraiser Examining Board



Mary McKinny

Judy Zwanziger, Chair

Aug. 24, 2011
Date

Sept 14, 2011
Date