



- (E) A person who makes a false statement of material fact on an application for an Iowa real estate broker or salesperson license may be denied a license by the Commission solely on the grounds of the false statement. See Iowa Code § 543B.15(5) (2015).
- (F) Truthful and complete disclosure of one's criminal history is essential to the Commission's determination of whether an applicant meets all requirements for obtaining an Iowa real estate broker or salesperson license. See Iowa Code § 543.15(3) (2015). The Applicant's failure to accurately and completely disclose his criminal history constitutes a false statement of material fact upon which the Commission may deny his license application.
- (G) The Applicant's criminal history as of the date of his license application would not have otherwise disqualified the Applicant from obtaining a real estate broker or salesperson license had he accurately disclosed that history as requested by question 10a on the application for an individual license form.
- (H) A person who applies for an Iowa real estate broker or salesperson license may be denied a license by the Commission solely on the grounds that that person has had a professional license of any kind revoked, suspended, or otherwise disciplined in Iowa or any other jurisdiction.
- (I) In materials submitted supplementing his pending real estate broker license, the Applicant admits that he had a professional license suspended or otherwise disciplined by another professional licensing board. The Iowa Board of Pharmacy issued the Applicant pharmacist license number 19079. Following the conduct of a contested case hearing, the Iowa Board of Pharmacy indefinitely suspended the Applicant's pharmacist license on or about March 10, 2015.

2. SALESPERSON LICENSE. In recognition of the fact that the Applicant has had a professional license suspended as detailed above in subparagraphs 1-H and 1-I, and to ensure that he is subject to mandatory supervision by an employing broker, the Applicant voluntarily agrees to accept an Iowa real estate salesperson license in lieu of the broker license for which he originally applied. The Applicant shall be eligible to apply for an Iowa real estate broker license two (2) years after acceptance of this Agreement by the Commission and that broker application will be reviewed by the Commission on the merits at that time.

3. CIVIL PENALTY. In recognition of the material false statements submitted to the Commission as detailed above in subparagraphs 1-D and 1-F, the Applicant voluntarily agrees that as a condition for receiving a new Iowa real estate salesperson license, the Applicant shall pay to the Commission a civil monetary penalty in the amount of five hundred dollars (\$500.00) within thirty (30) days of the Commission's approval of this Agreement. Failure to timely submit the agreed upon civil penalty shall result in the denial of the Applicant's license application. Furthermore, the Applicant shall submit a real estate salesperson license Application to the Commission that correctly and completely states his criminal and professional licensure disciplinary history. Said Application and disclosures referencing questions 9e and 10a are to be duly signed and acknowledged by the employing broker.

4. Provided that the Applicant can demonstrate he meets all other licensing requirements, including payment of the applicable licensing fee, the Applicant shall be issued an Iowa real estate salesperson license upon his submission of a complete and correct real estate salesperson license application and the Commission's timely receipt of the civil monetary penalty as required by paragraph 3 of this Agreement. Should the Applicant otherwise fail to demonstrate his eligibility to hold a real estate salesperson license, the civil monetary penalty remitted by the Applicant to the Commission shall be returned.

5. PROBATION. The Applicant shall be granted a salesperson license subject to probation. The Applicant shall be placed on probation indefinitely and shall be discharged from probation immediately upon the Applicant's presentation to the Commission of a certified copy of the order discharging his conditional discharge /probation in the matter of *Illinois v. Osborn*, Mercer County No. 2014CF17. Should the Applicant commit any violation of law governing the practice of real estate in the state of Iowa during the pendency of the probationary period, the Commission shall have the right to revoke and/or deny the renewal of the Applicant's real estate salesperson license following notice of the alleged violation and opportunity for hearing before the Commission.

6. NOTIFICATION. The Applicant shall notify the Commission within ten (10) days of the entry of any additional criminal convictions and/or final disciplinary action imposed against a professional license held by the Applicant by any professional licensing board.

7. By entering into this Agreement, the Applicant acknowledges and voluntarily waives his right to adjudicate the merits of his pending application for a new real estate broker license through the commencement of a contested case proceeding before the Commission, and all rights attendant to a contested case proceeding including the right to seek judicial review of the Commission's actions.

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8. This Agreement shall be made a part of the record of the Applicant and may be considered by the Commission in determining the nature and severity of any disciplinary action to be imposed on the Respondent for any future violations of the laws and rules governing the practice of real estate.

9. The Applicant voluntarily submits this Agreement to the Commission for its consideration. This Agreement is not binding on the Iowa Real Estate Commission until it has been formally approved. If the Commission fails to approve this Agreement, it shall be of no force or effect on either party.

10. This Agreement shall be public record. The Applicant further agrees to fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

**WHEREFORE**, the terms of this Consent Agreement are agreed to and accepted by the Iowa Real Estate Commission and the Applicant.



ROBERT OSBORN  
Applicant

5-30-15

Date



TERRANCE M. DUGGAN, Chair  
Iowa Real Estate Commission

6-4-15

Date