

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

IN THE MATTER OF:)	
)	
JEROME PISNEY)	CASE NO. 05-23
CR02340)	
)	COMBINED STATEMENT OF CHARGES
)	AND CONSENT ORDER
RESPONDENT)	

A. Statement of Charges

1. The Iowa Real Estate Appraiser Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 543D (2005).
2. Respondent is a certified residential real estate appraiser in Iowa. He was issued Certificate No. CR02340 on August 5, 2002.
3. Certificate No. CG02340 is currently valid and in good standing, and is scheduled to expire on June 30, 2007.
4. Respondent's business address and primary practice is located in the state of Minnesota. In 2005, Respondent acted as a supervisory appraiser in connection with appraisal assignments completed in various locations in the state of Iowa.
5. The Board received a complaint alleging, among other matters, that Respondent inadequately supervised an associate appraiser and engaged in an appraisal practice outside the geographical area in which Respondent possessed sufficient knowledge and experience to adequately appraise.
6. Following investigation, the Board charges Respondent with: (a) failure to adhere to appraisal standards in the development and communication of appraisals, (b) failure to adequately supervise an associate appraiser, (c) failure to abide by the Competency Rule of the Uniform Standards of Professional Appraisal Practice, and (d) failure to exercise reasonable diligence in the development, preparation, and communication of appraisals, in violation of Iowa Code sections 272C.10(3), 543D.17(1)(d) and (e), and 543D.18(1) (2005).
7. The Board and Respondent have agreed to fully resolve these charges through the following Consent Order, rather than proceed to contested case hearing. Respondent does not admit the charges, but does agree to the terms of this Consent Order.

B. Settlement Agreement and Consent Order

8. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order. 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.

9. 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.

10. 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 disciplinary action to be imposed in the event of any future violations.

11. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2005).

12. 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) (2005). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

13. 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:

A. Reprimand. Respondent is reprimanded for failing to adequately supervise an associate appraiser, and engaging in appraisal practices outside the geographical area in which he is competent to practice.

B. Civil Penalty. Respondent shall pay a civil penalty of two hundred and fifty dollars (\$250.00) to the Board office no later than thirty (30) calendar days following the full execution of this Consent Order.

C. Practice Restriction.

1. Respondent shall not supervise associate or uncertified appraisers or otherwise sign reports as a supervisory appraiser in the state of Iowa unless he first applies to the Board for advance approval.

2. The Board will consider such an application in connection with Respondent's personal appearance before the Board if he (1) supplies a satisfactory written plan of supervision for identified appraisers, (2) satisfactorily describes the manner in which he will apply the guidelines set forth in 193F Iowa Administrative Code chapter 15, and in particular, the supervisory responsibilities outlined in rule 15.2, (3) appropriately outlines his plan for confining his Iowa practice to an appropriate geographical area in compliance with USPAP's Competency Rule, and (4) submits two examples of his own appraisal work product for Standard Three reviews. If Respondent's own work product is compliant with USPAP and he has fulfilled the conditions outlined in this Consent Order to the satisfaction of the Board, the Board will approve Respondent's request upon such terms as may be needed to enhance competent supervisory performance in the future.

3. Nothing in this Consent Order restricts the Respondent from personally practicing real estate appraising in the state of Iowa. The above described restriction only relates to his role as a supervisory appraiser.

AGREED AND ACCEPTED:

The Respondent

[Redacted Signature]

Jefrome Pisney

Date 2/17/06

**The Iowa Real Estate Appraiser
Examining Board**

[Redacted Signature]

By: _____, Vice Chair

Date 3/17/06