

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

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IN RE: )

JIM R. WILLMSEN )  
Salesperson (S38883) )

RE/MAX Associates Realtors )  
1951 51<sup>ST</sup> STREET NE )  
CEDAR RAPIDS, IA 52402 )

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CASE NUMBER 05-103

STIPULATION  
AND  
ORDER

On this 14<sup>th</sup> day of DECEMBER, 2005, the Iowa Real Estate Commission and **JIM R. WILLMSEN**, each hereby agree with the other and stipulate as follows:

1. The allegations specified in the Statement of Charges in this case shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order.

2. The Respondent has a right to a hearing on the charges, but waives the right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

3. The Respondent was issued a real estate salesperson license on July 6, 1998, which is in full force and effect through December 31, 2007.

4. The Iowa Real Estate Commission has jurisdiction over the parties and subject matter jurisdiction over each allegation in the Statement of Charges.

5. A Statement of Charges will be filed against Respondent together with this voluntary Stipulation and Consent Order.

6. Respondent admits each and every allegation in the Statement of Charges.

7. If this Stipulation and Consent Order is approved by the Commission it will be filed, along with the Statement of Charges, and upon filing both documents will become public records.

8. This Stipulation and Consent Order shall be made a part of the record of the Respondent 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. Failure to comply with the terms of this Stipulation and Consent Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) and 272C.3(2)(a) (2005).

10. This Stipulation and Consent Order shall be presented to the Commission in closed session by the prosecuting attorney and/or Commission staff. Respondent waives any right of notice of this meeting or any right which the Respondent might have to participate in the discussion of this Stipulation and Consent Order among the Commission, the Commission staff and the prosecuting attorney.

11. This Stipulation and Consent Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members. In the event that this Stipulation and Consent Order is rejected by the Commission it shall be of no force or effect to either party.

**THEREFORE IT IS ORDERED** that the Respondent is **Reprimanded**.

**IT IS FURTHER ORDERED** that the Respondent shall pay a civil penalty to the Commission in the amount of \$ 1,000 no later than 30 calendar days after acceptance of this settlement by the Commission. The civil penalty must come under a cover letter addressed to the Commission's Executive Officer and refer to case 05-103.

**IT IS FURTHER ORDERED AND AGREED** that at all future times Respondent shall fully and promptly comply with all pertinent Orders of the Commission and the statutes and Commission rules regulating the practice of real estate

**FOR THE RESPONDENT:**

This Stipulation and Consent Order is voluntarily entered into by **JIM R. WILLMSEN** on this 31 day of October, 2005.

  
\_\_\_\_\_  
**JIM R. WILLMSEN**, Respondent

State of Iowa )

County of Linn )

Signed and sworn to before me on this 31 day of Oct., 2005, by

  
\_\_\_\_\_  
Notary Public, State of Iowa  
Printed Name: Steven C. Peterson  
My Commission Expires: 10/6/06

**STEVEN C. PETERSON**  
Iowa Notary Seal  
Commission No. 148839  
My Commission Expires: 10/06/06

**FOR THE COMMISSION:**

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

  
\_\_\_\_\_  
**James E. Hughes, Chair**  
Iowa Real Estate Commission



**CIRCUMSTANCES OF THE COMPLAINT**

1. On or about August 3, 2005, the Commission received an inquiry attempting to verify the Respondent's errors and omissions insurance coverage for the year 2004. Neither the Commission, nor Rice Insurance Services Inc. had record of coverage.
2. As a result of this information, on or about August 8, 2005, a standard errors and omissions insurance audit letter was sent to the Respondent.
3. Respondent could not provide proof of coverage for the 2004 policy period.
4. The Respondent did provide proof of coverage for the 2005 policy period.

**FINDING OF PROBABLE CAUSE**

On September 8, 2005 the Iowa Real Estate Commission found probable cause to file this Statement of Charges and to order that a hearing be set in this case.

Executed this 14<sup>th</sup> day of DECEMBER, 2005.

  
Roger L. Hansen, Executive Officer  
Iowa Real Estate Commission