Department of Commerce
Professional Licensing Bureau
FILED 10/31/12 (Date)
IA Real Estate Exam Board
Signature, Executive Officer

BEFORE THE IOWA REAL ESTATE APPRAISER EXAMINING BOARD

IN THE MATTER OF:	)	
	)	**CASE NO. 12-28**
Kenneth L. Jacobsen	)	
CG01430	)	**STATEMENT OF CHARGES AND**
	)	**CONSENT ORDER IMPOSING**
Respondent.	)	**DISCIPLINE**
	)	

The Iowa Real Estate Appraiser Examining Board (Board) and Kenneth L. Jacobsen (Respondent) enter into this Consent Order (Order), pursuant to Iowa Code section 17A.10 (2011) and 193 Iowa Administrative Code 7.4:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 543D, and 272C (2011).

2. Respondent was issued Iowa certificate number CG01430 on March 12, 1992. The certificate is active and will next expire on June 30, 2014.

3. Respondent renewed online on June 9, 2012. He reported 28 total hours of continuing education. He was randomly selected for an audit. Respondent submitted two courses of 7 hours each which he placed in both the "in-class" and "distance education" columns. By placing these courses in both columns, he represented that the courses were 14 hours, half in the classroom and half by distance education. As soon as the shortage was brought to Respondent's attention, he completed 14 more hours of qualifying continuing education. Respondent reported inaccurate information to the Board in his renewal application in violation of 193F IAC 7.3(1) and renewed his certificate when not qualified to do so pursuant to 193F IAC 7.3(5)(a).

4. Rather than proceed to hearing, Respondent agrees to the terms of this Consent Order.

5. Respondent acknowledges he has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including judicial review, 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 is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2011).

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) (2011). 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. Civil Penalty. Respondent shall pay a civil penalty of $500.00 within 30 days of the date this Consent Order is signed by all parties.

B. Education. By December 31, 2012, Respondent shall submit to the Board office a certificate of successfully completing a tested 15-hour USPAP course that is AQB approved. The course may be taken online, but may not be used toward future renewals.

C. Manual 2014 Renewal. Respondent shall not renew electronically in 2014. He shall manually renew and shall attach all certificates of completion for all continuing education courses.

AGREED AND ACCEPTED:

The Respondent	Iowa Real Estate Appraiser Examining Board
[redacted]	[redacted] [redacted]
Kenneth L. Jacobsen	James Kesterson, Chair
October 4, 2012	October 31, 2012
Date	Date