

535B.7 Disciplinary action.

1. The administrator may, pursuant to chapter 17A, take disciplinary action against a licensee or individual registrant if the administrator finds any of the following:

a. The licensee or individual registrant has violated a provision of this chapter or a rule adopted under this chapter or any other state or federal law applicable to the conduct of its business including but not limited to chapters 535 and 535A.

b. A fact or condition exists which, if it had existed at the time of the original application for the license or individual registration, would have warranted the administrator to refuse originally to issue the license or individual registration.

c. The licensee is found upon investigation to be insolvent, in which case the license shall be revoked immediately.

d. The licensee or individual registrant has violated an order of the administrator.

2. The administrator may impose one or more of the following disciplinary actions against a licensee or individual registrant:

a. Revoke a license or individual registration.

b. Suspend a license or individual registration until further order of the administrator or for a specified period of time.

c. Impose a period of probation under specified conditions.

d. Impose civil penalties in an amount not to exceed five thousand dollars for each violation.

e. Issue a citation and warning respecting licensee or individual registrant behavior.

3. The administrator may order an emergency suspension of a licensee's license or an individual's registration pursuant to section 17A.18A. A written order containing the facts or conduct which warrants the emergency action shall be timely sent to the licensee or individual registrant by restricted certified mail. Upon issuance of the suspension order, the licensee or individual registrant must also be notified of the right to an evidentiary hearing. A suspension proceeding shall be promptly instituted and determined.

Except as provided in this section, a license or individual registration shall not be revoked or suspended except after notice and a hearing thereon in accordance with chapter 17A.

4. A licensee may surrender a license and an individual registrant may surrender an individual registration by delivering to the administrator written notice of surrender, but a surrender does not affect the licensee's or individual registrant's civil or criminal liability for acts committed before the surrender.

5. A revocation, suspension, or surrender of a license or individual registration does not impair or affect the obligation of a preexisting lawful contract between the licensee or individual registrant and any person, including a mortgagor.