

**522F.21 Civil and criminal penalties.**

1. a. Upon a determination by the commissioner, after a hearing conducted pursuant to [chapter 17A](#), that a person violated [this chapter](#), the commissioner shall reduce the findings of the hearing to writing and deliver a copy of the findings to the person.

b. Upon a determination by the commissioner that a person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of [this chapter](#) or a rule adopted or order issued under [this chapter](#), the commissioner may take the following actions:

(1) Issue an order requiring the person to cease and desist from engaging in the conduct resulting in the violation.

(2) Assess a civil penalty against the person of not more than one thousand dollars for each violation not to exceed an aggregate of ten thousand dollars.

(3) If the person knew or reasonably should have known the person was in violation of [this chapter](#), assess a civil penalty of not more than five thousand dollars for each violation of [this chapter](#) not to exceed an aggregate penalty of fifty thousand dollars in any one six-month period.

(4) (a) Issue a summary order, including a brief statement of findings of fact, conclusions of law, and policy reasons for the decision, and directing the person to cease and desist from engaging in the act or practice or to take affirmative action as is necessary in the judgment of the commissioner to comply with the requirements of [this chapter](#).

(b) A person may contest a summary order by filing, within thirty calendar days from the date of the issuance of the summary order, a written request for a contested case proceeding and hearing as provided in [chapter 17A](#) and in accordance with rules adopted by the commissioner. [Section 17A.18A](#) shall be inapplicable to a summary order issued under [this subsection](#). If a hearing is not requested within thirty calendar days from the date of issuance of the summary order, the summary order shall become final by operation of law. A summary order shall remain effective from the date of issuance until the date the order becomes final by operation of law, or is modified or overturned by a presiding officer or court following a request for hearing.

(c) A person violating a summary order issued under [this subsection](#) shall be deemed in contempt of the summary order. The commissioner may petition the district court to enforce the order as certified by the commissioner. The district court shall find the person in contempt of the order if the court finds, after conducting a hearing, that the person is not in compliance with the order. The court may assess a civil penalty against the person and may issue further orders as the court deems appropriate.

c. In addition to any other penalty under [this section](#), if the commissioner finds that a violation of [this chapter](#) was directed, encouraged, condoned, ignored, or ratified by the employer of the appraiser or umpire, the commissioner shall assess a penalty to the employer. Penalties under this paragraph may be retained by the commissioner under the fund described in [section 505.7, subsection 9](#).

2. a. A person acting as an appraiser or an umpire without proper licensure, or an appraiser or an umpire who willfully violates any provision of [this chapter](#) or an order issued under [this chapter](#), is guilty of a class “D” felony. If the violation results in a loss of more than ten thousand dollars, the appraiser or an umpire is guilty of a class “C” felony.

b. The commissioner may refer such evidence as is available concerning a violation of [this chapter](#), or of any rule adopted or order issued under [this chapter](#), or of the failure of a person to comply with the licensing requirements of [this chapter](#), to the attorney general or the proper district attorney who may institute the appropriate criminal proceedings under [this chapter](#).

c. [This chapter](#) shall not limit the power of the state to punish any person for any conduct that constitutes a crime under any other statute.

2025 Acts, ch 28, §76

Referred to in §522F.7, 522F.9, 522F.20

NEW section