

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE APPLICATION	:	
FOR RENEWAL OF A LICENSE TO	:	
PRACTICE AS A REAL ESTATE BROKER	:	FINAL DECISION AND ORDER
	:	
WILLIAM G. WICKMAN, JR.,	:	93 REB 033
APPLICANT.	:	

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

William G. Wickman, Jr.
N10442 Echo Valley Road
Tomahawk, WI 54487

Wisconsin Real Estate Board
P.O. Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, Wisconsin 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Secretary of the Department of Regulation and Licensing ("Secretary"). The Secretary has reviewed this Stipulation and considers it acceptable.

Accordingly, the Secretary adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. William G. Wickman, Jr. ("Wickman"), N10442 Echo Valley Road, Tomahawk, Wisconsin 54487, is and was at all times relevant to the facts set forth herein a real estate broker licensed to practice in the State of Wisconsin pursuant to license #4558. Wickman's date of birth is May 21, 1942. His real estate broker's license was originally granted to him on November 15, 1974.

2. William G. Wickman, III, N10442 Echo Valley Road, Tomahawk, Wisconsin 54487, is and was at all times relevant to the facts set forth herein a real estate broker licensed to practice in the State of the Wisconsin pursuant to license #44864. Wickman's date of birth is June 10, 1964. His real estate broker's license was originally granted to him on February 12, 1991. William G. Wickman, III, is the son of the Applicant Wickman.

3. At all times relevant to the facts set forth herein Wickman and his son, William G. Wickman, III, were associated with Active Americans Realty, 223 North Fourth Street, Tomahawk, Wisconsin 54487.

4. On or about April 2, 1991, Wickman's son, William G. Wickman, III, attended a continuing education course presented by the Wisconsin Realtors Association at the Holiday Inn, Rhinelander, Wisconsin.

5. Applicant, William G. Wickman, Jr., was the person scheduled to attend this April 2, 1991, continuing legal education program.

6. William G. Wickman, III, was not scheduled to attend the course nor was he required to take this continuing education course in order to meet any renewal standards for his license.

7. On April 2, 1992, William G. Wickman, III, registered for the course under the name of his father, Applicant William G. Wickman, Jr., and took the course exam writing in on the exam answer sheet the name of his father and his father's social security number.

8. On or about November 30, 1992, William G. Wickman, Jr. applied to the Department of Regulation and Licensing for the renewal of his real estate broker's license #4558. The application form correctly stated that 12 hours of real estate continuing education are required of William G. Wickman, Jr. in order for him to be renewed.

9. The application for renewal of William G. Wickman, Jr. indicates that he has completed 12 hours of continuing real estate education.

10. In support of William G. Wickman, Jr.'s assertion that he completed 12 hours of real estate related education, he submitted the certificate of completion of educational requirements for the course taken by his son for the course presented by Wisconsin Realtors Association on April 2, 1991.

11. Applicant William G. Wickman, Jr. was not present at the April 2, 1991, continuing legal education program.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to sec. 452.05, Wis. Stats.

2. The Wisconsin Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

3. Applicant William G. Wickman, Jr. has violated:

Sections 452.14(3)(a), (i) and (k), and 452.12(5)(c)1, Wis. Stats., and secs. RL 24.17(3) and 25.065, Wis. Adm. Code in providing false information to the Department of Regulation and Licensing in support of the renewal of his real estate broker's license as set forth above and by having failed to comply with the continuing education requirements for brokers.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that the application of Applicant William G. Wickman, Jr., License #4558, date of birth May 21, 1942, for renewal of his license as a real estate broker, will be granted 190 days from the date of this Order upon his providing proof to the Department of the following:

1. His satisfactory completion of at least twelve (12) hours of continuing education taken between January 1, 1991 and the date which is 190 days subsequent to the date of this Order. This education shall not be credited for compliance purposes against any other continuing education requirements of the Department or the Real Estate Board, including continuing education requirements that might apply to the renewal of the Applicant's license for the 1995-1996 licensing biennium; and
2. Payment of renewal fees, including any applicable late fees; and
3. His satisfactory completion of the 180 day suspension period described below; and
4. Attendance, within 180 days of the date of this Order, at the following course modules from the real estate broker's course at an educational institution approved by the Department of Regulation and Licensing:
 - a. The five (5) hour Consumer Protection module; and
 - b. The four (4) hour Business Ethics for real estate brokers module,

and submission of proof of the same in the form of verification from the institution providing the education to the Real Estate Board, P.O. Box 8935, Madison, Wisconsin 53708-8935. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that are or may be instituted by the Board or the Department of Regulation and Licensing; and

5. Payment of the partial costs of these proceedings in the amount of \$250.00 within thirty (30) days of the date of this Order by making payment of the same to the Department of Regulation and Licensing, P.O. Box 8935, Madison, Wisconsin 53708-8935.

IT IS FURTHER ORDERED, that Applicant William G. Wickman, Jr., license #4558, date of birth May 21, 1942, is suspended for a period of 180 days commencing ten days subsequent to the date of this Order.

IT IS FURTHER ORDERED, that in the event Applicant William G. Wickman, Jr. fails to comply with any portion of the terms of this Order as set forth above, then his real estate broker's license (#4558) shall remain suspended, without further notice to him and without further hearing and without further Order of the Real Estate Board or Order of the Department of Regulation and Licensing, until he has complied with the terms of this Order.

IT IS FURTHER ORDERED, that investigative file 93 REB 033 be, and hereby is closed.

Dated this 23rd day of April, 1993.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Marlene A. Cummings
Marlene A. Cummings, Secretary

ATY2-3714
3/15/93

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE APPLICATION	:	
FOR RENEWAL OF A LICENSE TO	:	
PRACTICE AS A REAL ESTATE BROKER	:	
	:	STIPULATION
WILLIAM G. WICKMAN, JR,	:	93 REB 033
APPLICANT.	:	

The parties in this matter agree and stipulate as follows:

1. This Stipulation is entered into for the purpose of resolving this denial of Applicant William G. Wickman, Jr.'s, license #4558, date of birth May 21, 1942, application for renewal of his real estate broker's license, known as case 93 REB 033. This matter is currently scheduled for a class II hearing before an administrative law judge on June 15, 1993. Upon the approval of this stipulation and issuance of the stipulated Order of the Secretary of the Department of Regulation and Licensing, the scheduled hearing will be cancelled.

Applicant is represented by Attorney Mark D. Alberg, P.O. Box 258, Tomahawk, Wisconsin 54487.

Applicant and Attorney Alberg consent to the resolution of this matter by this Stipulation and the attached Final Decision and Order.

2. Applicant understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the State has the burden of proving those allegations; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Applicant has had the opportunity to consult with legal counsel regarding this matter and the legal implications of this Stipulation.

4. Applicant voluntarily and knowingly waives the rights set forth in paragraph 2 above, on the condition that all of the provisions of this Stipulation are approved by the Secretary.

5. With respect to the attached Final Decision and Order, Applicant neither admits nor denies the facts as set forth in the Findings of Fact however, he agrees that the Secretary may make the Findings of Fact and may reach the Conclusions set forth in the Conclusions of Law and may enter the Order of Suspension, require education and impose partial costs as set forth in the Order.

6. If the terms of this Stipulation are not acceptable to the Secretary, the parties shall not be bound by the contents of this Stipulation or the proposed Final Decision and Order. The matter shall then be returned to the Division of Enforcement for further proceedings and the June 15, 1993 hearing shall take place as scheduled. In the event that the Stipulation is not accepted by the Secretary the parties agree not to contend that the Secretary has been prejudiced or biased in any manner by the consideration of this attempted resolution.

7. If the Secretary accepts the terms of this Stipulation, the parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.

8. Applicant agrees that Complainant's attorney, Charles J. Howden, may appear at any meeting with the Secretary with respect to the Stipulation but that his appearance is limited to statements in support of the Stipulation and to answer any questions the Secretary may have regarding the Stipulation. Applicant waives his right to have notice of that hearing and to be present at the meeting with the Secretary.

9. The Division of Enforcement joins Applicant in recommending that the Secretary adopt this Stipulation and issue the attached Final Decision and Order.

William G. Wickman, Jr.
William G. Wickman, Jr., Applicant

4-4-93
Date

Mark D. Alberg
Mark D. Alberg, Attorney
P.O. Box 258, 312 W. Wisconsin Ave.
Tomahawk, WI 54487

4-5-93
Date

Charles J. Howden
Charles J. Howden, Attorney
Division of Enforcement

4-11-93
Date

ATY2-3708
3/15/93

NOTICE OF APPEAL INFORMATION

(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Department of Regulation and Licensing.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Department of Regulation and Licensing

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Department of Regulation and Licensing.

The date of mailing of this decision is April 26, 1993.