

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE DISCIPLINARY	FINAL DECISION AND ORDER
PROCEEDINGS AGAINST	ADOPTING STIPULATION
GARY S. GAVERS,	98 APP 041
RESPONDENT.	LS9905194APP

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

*Gary S. Gavers
4507 Westchester Square
Milwaukee, WI 53214*

*Bureau of Business and Design Professions
Real Estate Appraisers Board
P.O. Box 8935
Madison, WI 53708-8935*

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

The State of Wisconsin, Real Estate Appraisers Board, having considered the Stipulation agreement annexed-hereto of the parties, in resolution of the captioned-matter, makes the following:

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED pursuant to jurisdiction and authority granted to the Board that the Stipulation agreement annexed-hereto, filed by Complainant's attorney, shall be and hereby is incorporated, made and ordered the Final Decision and Order of the State of Wisconsin, Real Estate Appraisers Board.

Let a copy of this order be served on Respondent by certified mail.

Dated this 19th day of May, 1999.

Paul Vozar

STATE OF WISCONSIN

BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST

GARY S. GAVERS,

STIPULATION

RESPONDENT.

98 APP 041

Respondent Gary S. Gavers (Gavers), and Complainant's attorney, Henry E. Sanders, Division of Enforcement, having reached agreement for disposition of the captioned-matter, stipulate and agree as follows:

1. Respondent Gavers of 4507 Westchester Square, Milwaukee, Wisconsin, was at all time material to the complaint, certified as a certified residential appraiser, and had been so certified under the provisions of ch. 458, Wis. Stats., since June 2, 1995.

2. This Stipulation shall be submitted to the Real Estate Appraisers Board (Board) for approval and disposition of the matter. If the terms of the Stipulation are not acceptable to the Board, then the parties shall not be bound by any of the provisions of the Stipulation.

a. This Stipulation is dispositive of investigative complaint #98 APP 041.

3. Respondent has been advised of his right to a public hearing on each and every allegation of the complaint, but hereby freely and voluntarily waives his right to a hearing in this matter on the condition that all provisions of this Stipulation be acceptable to and approved by the Board.

a. Respondent further agrees to waive any appeal of the Board's Final Decision and Order adopting the Stipulation agreement.

4. On March 4, 1998, the Real Estate Appraisers Board issued a Final Decision and Order Adopting Stipulation against Respondent Gavers in case #96 APP 030.

a. Paragraph 8(a), of the Stipulation provided in pertinent part that Respondent . . . agrees to take and successfully complete a minimum of 15 hours of USPAP education, to be completed within six (6) months of the effective date of the Board's order . . . A. . . . If Respondent does not complete the education courses as agreed or fails to get approval for extension to complete the education, then he shall be considered to be in violation of the Board's order, and may be subjected to further discipline.

5. Thereafter, Respondent failed to take and complete the education as ordered within six (6) months of the effective date of the Board's order (by September 4, 1998), and also failed to request an extension to complete same from the Board.

6. The matter was presented to and considered by the Board at its regularly scheduled meeting of September 30, 1998, and referred the matter of non-compliance with its order to the Division of Enforcement for further disciplinary action.

7. Accordingly, this complaint #98 APP 041 was opened against Respondent on about November 25, 1998, and was referred to the Division of Enforcement for disciplinary action.

a. The Department received notice on January 4, 1999, that Respondent had taken and successfully completed the ordered education on December 15-16, 1998.

8. Therefore, Respondent Gavers has violated the Board order of March 4, 1998, and based upon the above and in settlement of the matter, Respondent hereby consents, accepts and agrees to be reprimanded, and to pay the amount of \$300.00 as part assessment of costs in resolving this matter.

9. The \$300.00 part assessment of costs shall be payable by cashier's check or money order made payable to the Department of Regulation and Licensing, and submitted to the Department's monitor:

Michelle Neverman

Monitor

Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

10. Respondent agrees that this Stipulation agreement may be incorporated into the Board's Final Decision and

Order adopting the Stipulation agreement.

11. Respondent agrees that Complainant's attorney Henry E. Sanders, and the case advisor assigned to the complaint, may appear at any closed deliberative meeting of the Board with respect to this Stipulation, but those appearances are limited solely to clarification, justification, and to statements in support of the Stipulation and for no other purpose.

Gary S. Gavers

April 5, 1999

Respondent

Date

Henry E. Sanders

April 15, 1999

Complainant's Attorney

Date