

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD  
IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

CLARENCE S. SULLIVAN,  
RESPONDENT

FINAL DECISION AND ORDER  
LS 9912097REB

**Division of Enforcement Case No. 96 REB 308**

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*Clarence S. Sullivan*  
*803 South Main Street #1*  
*Viroqua, WI 54665*

*Real Estate Board*  
*PO Box 8935*  
*Madison, WI 53708-8935*

*Department of Regulation and Licensing*  
*Division of Enforcement*  
*PO Box 8935*  
*Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Clarence S. Sullivan (D.O.B. 11/01/29) is duly licensed as a real estate broker in the state of Wisconsin (license # 1914). This license was first granted on April 1, 1958.
2. Respondent's most recent address on file with the Wisconsin Real Estate Board is 302 Fairview Drive, Viroqua, WI 54665.
3. At all times relevant to this investigation, Respondent was working as a Real Estate Broker at Sullivan Real Estate & Auctions, Inc. 207 South Main Street, Viroqua, Wisconsin.
4. On or about August 26, 1996, the Respondent signed a deed as notary for the signatures of grantors/sellers John R. Johnson and Donna M. Johnson for the transfer of real estate described as "Part of Government Lot 3 of Section 21, Township 10 North, Range 4 West, lying East of River Road and West of Kickapoo River, Village of Gays Mills, Crawford County, Wisconsin." A true and correct copy of this deed is attached to this document as Exhibit A. Exhibit A is incorporated by reference into this document. Respondent was acting as agent for the sellers in this transaction.
5. Respondent was not present when this deed [Exhibit A] was signed and did not witness its signature; nor did he witness either John J. Johnson or Donna M. Johnson attest to the signatures on the deed as their own. Instead, a real estate salesperson working under Respondent's supervision and control obtained the signatures on this document.
6. On or about August 26, 1996, John R. Johnson signed Exhibit A under his own signature and signed his wife's name (Donna M. Johnson) to the deed. Mrs. Johnson did not personally sign the deed.

7. Upon the request of the Division of Enforcement, a warranty deed to correct this matter has been obtained. This Deed was recorded October 22, 1999.

8. In resolution of this matter, Respondent consents to the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction over this matter, pursuant to sec. 452.14, Stats.
2. The conduct described above constitutes a basis for discipline under secs. 452.133(1) and 452.14(3)(b) and (k), Wis. Stats., and Wisconsin Administrative Code §§ RL 17.08(2), 24.025(1) and 24.17(3).

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. Respondent Clarence S. Sullivan is **REPRIMANDED**.
2. Within sixty (60) days from the date of this Order, Respondent shall submit a FORFEITURE in the amount of FIVE HUNDRED dollars [\$500.00]. Payment of all costs and forfeitures shall be made via certified check or money order payable to the Wisconsin Department of Regulation and Licensing, Attn: Department Monitor, PO Box 8935, Madison, WI 53708.
3. Within sixty (60) days from the date of this Order, Respondent shall pay partial costs of this proceeding in the amount of TWO HUNDRED dollars [\$200.00]. Payment of all costs and forfeitures shall be made via certified check or money order payable to the Wisconsin Department of Regulation and Licensing, Attn: Department Monitor, PO Box 8935, Madison, WI 53708.
4. Respondent shall within nine (9) months from the date of this Order submit documentation acceptable to the Board of successful completion 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 two-hour contracts section [Ref. Wis. Admin. Code § RL 25.02 (2)(a)]; and
  - b) the four-hour business ethics module [Ref. Wis. Admin. Code § RL 25.02 (2)(g)].

Acceptable documentation shall include certification from the sponsoring organization as well as an affidavit executed by Respondent verifying that he attended the courses in their entirety. The education obtained as a result of this order shall not count as course hours in satisfaction of sec. 452.12(5)(c), Wis. Stats.

5. The **Department Monitor** is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating any and all reports and petitions. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 261-7938

**6. In the event that Mr. Sullivan fails to timely comply with the terms and conditions set forth above, his Real Estate Salesperson's license may be SUSPENDED, without further notice or hearing, until such time as he has complied with the terms of this Order. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license.**

7. This Order shall become effective upon the date of its signing.

REAL ESTATE BOARD

By:

James Imhoff

December 9, 1999

On behalf of the Board

Date