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STATE OF WISCONSIN

BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST

**SUSAN L. HOUSE,
RESPONDENT.**

**FINAL DECISION AND ORDER
LS 0003071 REB**

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

*Susan L. House
N28W6296 Alyce Street #130
Cedarburg, WI 53012*

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

*Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 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 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. **SUSAN L. HOUSE** ("House"), date of birth November 26, 1960, is licensed in the State of Wisconsin as a real estate broker having license # 90-42558. This license was first granted to her on June 15, 1987. The most current address on record at the Department of Regulation and Licensing for House is N28W6296 Alyce Street #130, Cedarburg, Wisconsin 53012.

2. At all times material hereto, House did business as "House Realty" in Cedarburg, Wisconsin.

3. Commencing in April 1999 and continuing to about June 1, 1999, House provided real estate brokerage services to George Grubor and his wife in relation to the Grubors' efforts to locate a personal residence for purchase.

4. House provided the brokerage services to Grubors without a written and signed agency agreement authorizing those services as is required under section 452.135(1) of the Wisconsin Statutes and sections RL 24.08 and 24.025(2) of the Wisconsin Administrative Code.

5. House provided the brokerage services without providing to Grubors a written agency disclosure form containing the terms required under section 452.135(2) of the Wisconsin Statutes and section RL 24.07(8) of the Wisconsin Administrative Code.

6. During the time House provided brokerage services to the Grubors, House prepared two offers to purchase forms for use by Grubors in making offers on real estate. House did not maintain copies of any

documents prepared on behalf of Grubors.

7. On or about June 1, 1999, House learned that the Grubors purchased a residence through a different broker.

8. On or about June 14, 1999, House sent a letter to Elden Benning, a relative of the Grubors, setting forth her bill of \$1,250.00 for real estate brokerage services she provided to the Grubors. A copy of this letter is attached hereto as **Exhibit A**, and is incorporated herein by this reference.

9. On or after June 14, 1999, House's bill of \$1,250.00 was deducted from a payment due to Benning from House's husband for masonry work Benning had provided on a new residence being constructed by House and her husband.

10. At no time relevant to the time period described above did House have a Real Estate Agency Contract for payment of a fee as is required by section 240.10 of the Wisconsin Statutes.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to section 452.14 of the Wisconsin Statutes.

2. The Wisconsin Real Estate Board is authorized to enter into the attached Stipulation pursuant to section 227.44(5) of the Wisconsin Statutes.

3. Respondent **SUSAN L. HOUSE** has violated:

a. Sections RL 24.025(2) and 24.08 of the Wisconsin Administrative Code and sections 452.135(1), 452.14(3)(i) and 452.14(3)(L) of the Wisconsin Statutes by providing real estate brokerage services to Grubors without a written and signed agency agreement authorizing those services.

b. Section RL 15.04 of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes by failing to maintain copies of the offers to purchase she prepared in connection with providing brokerage services for the Grubors.

ORDER

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

IT IS FURTHER ORDERED, that the real estate license of Respondent **SUSAN L. HOUSE**, license # 90-42558, is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **SUSAN L. HOUSE**, within six months of the date of this Order, successfully complete the 36 hour real estate broker's prelicensing course, as set forth in Chapter RL 25.02(2) of the Wisconsin Administrative Code, and submit 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.

IT IS FURTHER ORDERED, that in the event Respondent **SUSAN L. HOUSE** fails to successfully complete the educational requirements within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **SUSAN L. HOUSE**, her real estate license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until further order of the Board.

IT IS FURTHER ORDERED, that Respondent **SUSAN L. HOUSE** pay partial **COSTS** of this matter in the amount of \$500.00 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, WI 53708-8935.

IT IS FURTHER ORDERED, that in the event **SUSAN L. HOUSE** fails to pay costs of \$500.00 within the time and in the manner as set forth above, then her real estate license shall be suspended, without further notice, hearing or order of the Board, and said suspension shall continue until the full amount of said costs have been paid to the Department of Regulation and Licensing, and her failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that Division of Enforcement file 99 REB 242 and formal hearing file LS 0003071 REB, are hereby closed.

Dated this 27th day of April, 2000.

WISCONSIN REAL ESTATE BOARD

By:

Richard E. Hinsman

A member of the Board