

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 REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

**JON M. RUSHMAN,
RESPONDENT.**

**FINAL DECISION AND ORDER
LS0003237REB**

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

*Jon M. Rushman
N44593 Roskos Road
Strum, WI 54770*

*Wisconsin Real Estate 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 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. Jon M. Rushman ("Rushman"), date of birth 02/22/1949, is licensed in the state of Wisconsin as a real estate broker, having license #90-49637. This license was first granted to him on 12/14/98. Prior to receiving his Wisconsin real estate broker's license, Rushman held Wisconsin real estate salesperson license #47158
2. Rushman's most recent address on file with the Department of Regulation and Licensing is N44593 Roskos Road, Strum, WI 54770.
3. At all times material hereto, Rushman was an employee of Edina Realty of Wisconsin, Inc.
4. On or about November 24, 1998, without permission or knowledge of the true owner, Rushman converted to his own use Real Estate Trust Funds in the sum of \$24,000.00 belonging to Christopher Gambort.
5. Rushman failed to appropriately account for these moneys to both Gambort and his employer, Edina Realty of Wisconsin, Inc.
6. Rushman has agreed to a voluntary revocation of his real estate license as set forth below as a resolution of this matter before the Wisconsin Real Estate Board.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to sec. 452.14, Wis. Stats.
2. The Wisconsin Real Estate Board is authorized to approve the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
3. Respondent Jon M. Rushman, has violated:
 - a) Section 452.14(3)(h) of the Wisconsin Statutes by having failed, within a reasonable time, to account for or remit moneys coming into its possession which moneys belong to another person.
 - b) Section 452.14(3)(k) of the Wisconsin Statutes by illegally converting Real Estate Trust Funds over to his own use, thereby engaging in conduct that is improper, fraudulent or dishonest.

ORDER

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

IT IS FURTHER ORDERED, that the Real Estate Broker’s license of Respondent Jon M. Rushman, credential #90-49637, is hereby **REVOKED**.

IT IS FURTHER ORDERED, that all rights and privileges heretofore granted to Respondent Jon M. Rushman pursuant to real estate broker license #90-49637 are forever terminated effective at 11:59 P.M. on the date of this Order as set forth below.

IT IS FURTHER ORDERED, that Respondent Jon M. Rushman shall not be granted a credential under chapter 452 of the Wisconsin at any time in the future. The denial, in whole or in part, of any petition by Jon M. Rushman for a credential authorized under chapter 452 of the Wisconsin Statutes shall not constitute denial of a license and shall not give rise to a contested case within the meaning of sections 227.01(3) and 227.42 of the Wisconsin Statutes.

IT IS FURTHER ORDERED, that Division of Enforcement file #99 REB 187 be, and hereby is, closed as to Jon M. Rushman.

WISCONSIN REAL ESTATE BOARD

By

Richard E. Hinsman
A Member of the Board

March 23, 2000.
Date