

# 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](mailto:web@drl.state.wi.gov)

**CORRECTED ORDER**

STATE OF WISCONSIN

BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST

**RILEY R. KAHL,  
RESPONDENT**

**FINAL DECISION AND ORDER**  
LS0005221AUC

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

*Riley R. Kahl  
RR 8 Box 8340  
Verona,, WI 53593*

*Wisconsin Auctioneer 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 Wisconsin Auctioneer Board (herein called 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 . Riley R. Kahl ("Kahl"), RR 8 Box 8340, Verona, Wisconsin 53593, is an auctioneer, registered to practice in the State of Wisconsin pursuant to license #52-736, originally granted to him on March 8, 1995.
2. At all times material hereto, George Auction Service, P.O. Box 135, Evansville, Wisconsin 53536, was a Wisconsin Partnership registered to practice as an Auction Company in the State of Wisconsin pursuant to license #53-93, originally granted to it on March 3, 1995. The Auctioneer Board revoked this license by Final Decision and Order dated November 18, 1999.
- 3.The partners in George Auction Service were Dean K. George and Paul S. George.
4. At all times material hereto Dean K. George ("Dean"), 11211 North Union Road, Evansville, Wisconsin 53536 was an auctioneer, registered to practice in the State of Wisconsin pursuant to license #52-486, originally granted to him on March 1, 1995. The Auctioneer Board suspended this license pursuant to a Final Decision and Order dated November 18, 1999.
5. At all times material hereto Paul S. George ("Paul"), 11211 Highway 14, Brooklyn, Wisconsin 53521 was an auctioneer, registered to practice in the State of Wisconsin pursuant to license #52-637, originally granted to him on March 1, 1995. The Auctioneer Board suspended this license pursuant to a Final Decision and Order dated November 18, 1999.
6. The disciplinary action taken by the Auctioneer Board against George Auction Service, Dean K. George and Paul S. George, resulted from the unlawful conduct engaged in by Dean K. George and Paul S. George while collecting an auction debt from Sharon and Craig Ackerman on June 5, 1996. A copy of the decision in cases LS 9804151 AUG, LS 9805261 AUC and LS 9805211 AUC which describes this conduct is attached hereto as Exhibit A and hereby made a part of this document by reference.
7. On June 5, 1996, Kahl as an employee of George Auction Service assisted Dean George and Paul George by

driving a truck, with a cattle trailer attached to it, to the Ackerman farm for the purpose of removing the cattle from that location.

8. While at the Ackerman farm on June 5, 1996, Kahl as an employee of George Auction Service assisted the Georges in their loading the cattle into the trailer over the objections of the Ackermans.

9. On June 5, 1996, while assisting the Georges, Sharon Ackerman alleges that Kahl pushed her causing her to lose her balance and strike a hard object in the barn, at a time while she was objecting to Kahl over his assisting the Georges in removing the cattle from her barn.

## **CONCLUSIONS OF LAW**

1. The Wisconsin Auctioneer Board has jurisdiction to act in this matter pursuant to sec. 480.24, Wis. Stats.

2. The Wisconsin Auctioneer Board is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

3. The Ackerman debt to George Auction Service was created as a result of a "consumer transaction" as that term was defined in section 421.301(13) of the Wisconsin Statutes as of June 5, 1996.

4. The Ackermans were a "customer" as that term was defined in section

421.301(17) of the Wisconsin Statutes as of June 5, 1996.

5. In relation to the Ackermans, Dean George, Paul George and George Auction Services were all "debt collectors" as that term is defined in § 427.103(3) of the Wisconsin Statutes as of June 5, 1996.

6. By his actions in assisting Dean K. George, Paul S. George and George Auction Service, as described herein, in their violation(s) of the prohibited practices of § 427.104 (1)(a) and (h) of the Wisconsin Statutes which prohibit a debt collector from engaging in the following practices discipline is warranted:

### **"427.104 Prohibited practices.**

(1) In attempting to collect an alleged debt arising from a consumer credit transaction or other consumer transaction where there is an agreement to defer payment, a debt collector shall not:

(a) Use or threaten force or violence to cause physical harm to the customer or the customer's dependents or property;

(h) Engage in other conduct which can reasonably be expected to threaten or harass the customer or a person related to the customer;"

7. The debt prohibited collection practices of § 427.104 of the Wisconsin Statutes as set forth above are substantially related to the practice of auctioneering.

8. Riley R. Kahl has violated section RL 124.02(2) of the Wisconsin Administrative Code by assisting Dean K. George, Paul S. George and George Auction Service in their violation of §§ 427.104(l)(a) and 427.104(l)(h) of the Wisconsin Statutes. Conduct that is in violation of § RL 124.02(2) of the Wisconsin Administrative Code is conduct that evidences a lack of knowledge or ability to apply professional principles or skills within the meaning of § 480.24(2) of the Wisconsin Statutes.

9. Riley R. Kahl has violated § 480.24(2) of the Wisconsin Statutes and is subject to professional disciplinary action.

## **ORDER**

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

**IT IS FURTHER ORDERED**, that the Wisconsin Auctioneer registration of Riley R. Kahl is hereby suspended for a period of three months commencing at 12: 01 A.M. on the 101 day subsequent to the date of this Order as set forth below.

IT IS FURTHER ORDERED, that files 96 AUC 112 and 98 AUC 002 be, and hereby are closed.

Dated this

22nd day of May 2000.

WISCONSIN AUCTIONEER BOARD

By:

Robert Brandau

A member of the Auctioneer Board

Attachment: Exhibit A