

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

JAMES M. BLOOD,
Respondent

FINAL DECISION AND ORDER
LS0101082RLC

DIVISION OF ENFORCEMENT CASE NO: 00 RLC 011

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

James M. Blood
FPC Box 1400, Stebner Road
Duluth, Minnesota 55814

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 Department. The Department has reviewed this Stipulation and considers it acceptable. Accordingly, the Department in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **James M. Blood** ("Blood"), (DOB 10/14/39), is licensed in the State of Wisconsin as a Cemetery Salesperson, having license # 96-1403, first granted on October 5, 1999. Blood is also licensed in the State of Wisconsin as a Cemetery Preneed Seller, having license # 101-637, first granted on October 6, 1999.
2. On November 2, 2000, Blood was convicted of Mail Fraud, a Class D Felony and sentenced to the custody of the United States Bureau of Prisons for imprisonment for a term of 33 months. A certified copy of the Judgment of Conviction is attached as **State's Exhibit 1**.
3. Blood's criminal activity began before March 1993 and continued to on or about May 7, 1996 and consisted of a pattern of defrauding victims by inducing them to invest substantial sums of money into "Elder Care" a housing development venture for the elderly. Blood was convicted of defrauding at least six elderly investors in the amount of \$578,234.08. Blood provided the investors with false and fraudulent reports to hide his business losses and made false assurances that payment would be made to the investors. A copy of the Statement of Reasons appearing on page 7 of the Judgment of Conviction is attached as **State's Exhibit 1**.
4. In furtherance of his scheme to defraud investors, Blood sent correspondence through the United States Mail to representatives of the estate of one of the investors containing fictitious information; sent fraudulent tax forms every year to another investor indicating that she made interest on her investment when the principal was already gone, and sent documents to other investors representing that "note pay-outs" were not possible due to the government's inability to reach a balanced budget. A copy of the indictment filed by the United States Attorney is attached as **State's Exhibit 2**.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to act in this matter pursuant to sec. 440.93 Wis. Stats.
2. The Department is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
3. Respondent **James M. Blood** has violated:
 - a.) Wis. Stats. sec. 440.93 (1) (d) by his conviction of an offense the circumstances of which involve fraudulent and deceptive conduct substantially related to the sale of a cemetery lot, cemetery merchandise or mausoleum space.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation be accepted. IT IS FURTHER ORDERED, that **James M. Blood's**, Cemetery Salesperson's license # 96-1403 and Preneed Seller's license # 101-637 shall be, and hereby are **VOLUNTARILY SURRENDERED**. The surrender of the licenses shall be permanent with no right to renew in the future.

IT IS FURTHER ORDERED, that file **00 RLC 011** shall be hereby closed.

Dated this 8th day of January, 2001.

DEPARTMENT OF REGULATION AND LICENSING

Marlene A. Cummings, Secretary