

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 DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF APPLICATION FOR :
AUCTIONEER REGISTRATION FOR : FINAL DECISION
 : AND ORDER
 DANIEL M LUZINSKI :
 APPLICANT :

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Daniel M Luzinski
W14480 County Line Road
Thorp WI 54771

Department of Regulation and Licensing
1400 East Washington Avenue
PO Box 8935
Madison WI 53708-8935

FINDINGS OF FACT

1. Daniel M. Luzinski (Applicant) (dob. 02/10/1976) has filed an application for a license to practice as an auctioneer in Wisconsin.
2. Information received in the application process reflects that:
 - a. On or about November 13, 1996 Applicant was convicted of violation of Wis. Stat. § 943.24(1) [issue of worthless checks];
 - b. On or about April 23, 1997 Applicant was convicted of violation of Wis. Stat. § 943.24(1) [issue of worthless checks]; and
 - c. On or about October 25, 2007 Applicant was convicted of violation of Wis. Stat. § 941.20(1)(b) [operate firearm while intoxicated].

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction over this matter pursuant to Wis. Stat. § 480.08(2) and authority to enter into a stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).
2. The facts and circumstances of the convictions referenced above substantially relate to the practice of an auctioneer.

ORDER

NOW, THEREFORE, IT IS ORDERED that DANIEL M. LUZINSKI is GRANTED a LIMITED AUCTIONEER'S REGISTRATION subject to the following LIMITATIONS, TERMS AND CONDITIONS.

Practice Limitations

1. Applicant shall at all times practice as an auctioneer under the supervision of a registered auctioneer approved by the Department. Approval shall be obtained through correspondence with the Department Monitor.
2. Applicant shall provide a copy of this Final Decision and Order immediately to supervisory personnel at all settings where Applicant works or applies to work as an auctioneer.

Required Reporting

3. Applicant shall arrange for written reports from his supervisors to be provided to Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall assess Applicant's auctioneer work performance and verify that he is in compliance with all laws relating to the practice of auctioneering including, but not limited to, trust account requirements and the terms of this Order. If Applicant is not working as an auctioneer, he should so indicate on the quarterly report.
4. Applicant shall report to the Department any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
5. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order.
6. Applicant shall comply with all terms of probation and/or parole imposed upon him, and make arrangements with his probation/parole officer to notify the Department Monitor **within 10 calendar days** of any violation of probation/parole terms. In addition, Applicant shall make arrangements for the submission of quarterly reports from his probation/parole office attesting to the status of his participation in probation/parole. Applicant shall provide the Board with current releases complying with state and federal laws, authorizing release and access to his probation and parole records.

DEPARTMENT MONITOR

7. The Department Monitor is the individual designated by the Department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports and other information required by this Order shall be mailed, or delivered to:

DEPARTMENT MONITOR
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave., P.O. Box 8935
Madison, WI 53708-8935
Telephone: (608) 261-7904

Petitions for Modification

8. Applicant may petition the Department for modification of the terms of this Order after two years of compliance with all terms and conditions of this Order. Applicant's petition must include his/her history of employment from the effective date of this Order that states the dates and names of all employers the applicant worked for during the two year period. Any such petition shall be accompanied by a written recommendation from Applicant's current employer expressly supporting the specific modifications sought and shall include, among other things, the dates of employment and scope of responsibility during such employment. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stats. §§ 227.01(3), or 227.42, or Wis. Admin. Code Ch. RL 1, and shall not be subject to any right to further hearing or appeal.
9. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

Summary Suspension / Additional Discipline

10. Failure by Applicant to timely comply with the terms of this limitation and/or any further criminal conviction shall result in the revocation of Applicant's limited license without further notice or hearing or other proceeding. Any other violation of this Order may be the basis for a summary suspension under Wis. Admin. Code ch. RL 6 or separate disciplinary action under Wis. Stat. § 440.26(6).

Dated at Madison, Wisconsin this 15th day of July, 2008.

Debra J. Kraft
On behalf of the Department of
Regulation and Licensing

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF APPLICATION FOR :
AUCTIONEER REGISTRATION FOR :
 : **STIPULATION**
 DANIEL M LUZINSKI :
 APPLICANT :

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Department of Regulation and Licensing as follows:

The Applicant has filed an application for auctioneer registration. Information received by the Department reflects a basis for denial of the application for a credential. Based upon the information of record herein, the Department agrees to issue and the Applicant agrees to accept an Order issuing an auctioneer's registration subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this _____ day of _____, 2008

DANIEL M LUZINSKI

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

Dated this _____ day of _____, 2008.

By: _____
Debra J. Kraft