

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
DEBRA L. SCHIEBLE, : ORDER 00000165
RESPONDENT. :

Division of Enforcement case file 07 REB 037

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

Debra L. Schieble
2500 Kohler Memorial Drive
Sheboygan, WI 53081

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

PROCEDURAL HISTORY

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 Real Estate Board ("Board"). The Board has reviewed this Stipulation and considers it acceptable. Accordingly, the Board adopts the attached Stipulation in this matter and makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Debra L. Schieble is licensed as a real estate salesperson in the State of Wisconsin, with license # 94-52449, which was first granted on January 2, 2001.
2. Ms. Schieble's most recent address on file with the Department of Regulation and Licensing is 5054 Park Ridge Court, Sheboygan, WI 53083. Her preferred mailing address is 2500 Kohler Memorial Drive, Sheboygan, WI 53081

3. On June 9, 2006, Gary Kroll purchased a home at 2615 White Fox Drive in Sheboygan from Rautmann Custom Homes. The listing agency was Rautmann/Schils Real Estate. Debra L. Schieble worked with Mr. Kroll as a seller's subagent.
4. The house had been put on the market in the fall of 2005. In the Offer to Purchase drafted by Ms. Schieble, the tax proration was specified to be on the basis of the 2005 taxes.
5. At closing Mr. Kroll expressed concerns that the proration for what the seller was to credit him for property taxes was going to be insufficient because the proration was based on the 2005 taxes when the lot was the only thing that had been taxed at that time, but Ms. Schieble and the salesperson for Rautmann/Schils Real Estate told him that the house would not be included on the 2006 taxes.
6. As of the date of closing, the assessor's internet site had not been updated to show an increased tax value for the property.
7. At the end of 2006, Mr. Kroll received a significantly increased tax bill that included the value of the house since the house had been put on the market in the fall of 2005 and it was deemed livable by the assessor as of January 1, 2006.
8. Ms. Schieble should have known that the taxes for a newly constructed home that was put on the market in the Fall of 2005 would go up substantially when the property was reassessed in 2006. Schieble should not have written the offer to have the tax proration at closing be based on the 2005 property tax which was only for the vacant lot.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to section 452.14 (3) of the Wisconsin Statutes and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
2. By failing to anticipate a likely property tax increase, Respondent Debra L. Schieble is subject to discipline for violating Wis. Admin. Code sec. RL 24.03 (2) (c).

ORDER

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

IT IS FURTHER ORDERED that the Respondent Debra L. Schieble is hereby REPRIMANDED.

IT IS FURTHER ORDERED that Ms. Schieble pay the Department's costs of this matter in the amount of \$707.83 within 60 days of the date of this Order. Payment shall be made by certified

check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to the Department Monitor. In the event Ms. Schieble fails to pay the costs within the time and in the manner as set forth above, her Real Estate Salesperson's license shall be suspended without further notice, without further hearing, and without further 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.

IT IS FURTHER ORDERED that the violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license; the Board in its discretion may in the alternative impose additional conditions and limitations or other discipline.

IT IS FURTHER ORDERED that file 07 REB 037 be closed.

Dated this 18 day of FEB, 2010.

WISCONSIN REAL ESTATE BOARD

By: 
Peter Sveum, Board Chair, or another member of the Board