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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

DANIEL M. SPRANSY,
RESPONDENT.

ORDER 0000067

Division of Enforcement Case #07 REB 76

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

Daniel M. Spransy
2786 Berkan St.
Madison, WI 53711

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 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. Respondent Daniel M. Spransy, (d.o.b. 11/7/77), is and was at all times relevant to the facts set forth herein a real estate salesperson licensed in the State of Wisconsin pursuant to license #60809-94, originally granted on 6/23/04. Since the events described below, Respondent has obtained a license as a real estate broker, #55135-90, granted on 05/13/2008; he has allowed his salesperson license to lapse as of 12/15/08 (although it could be renewed at any time by payment of the renewal and late fees, and demonstration of sufficient continuing education).
2. In the spring of 2006, Respondent entered into a partnership with the owner of a duplex for the purpose of renovating the building and converting it to condominiums for resale. On 8/10/06, a buyer (who was also a licensed salesperson and who subsequently worked for Respondent for

several months) signed a WB-11 Residential Offer to Purchase (OTP) for one of the units that Spransy showed her. Spransy did not identify on the form who he was representing, nor did he disclose in writing his ownership interest in the property at any time. On line 27 of the OTP, Seller's receipt for delivery, Spransy wrote his name, with his agency's name following his. Spransy did not issue the buyer an agency disclosure form. The offer was accepted and signed by the co-owner on 8/10/06. The purchase was completed on 9/26/06.

3. Subsequently, the buyer discovered that a number of errors were committed in the creation of the condominium units, and had to retain legal counsel to deal with these issues. The buyer did not receive a copy of the deed until June, 2007.

CONCLUSIONS OF LAW

A. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 425.14(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

B. The conduct described in paragraph 2, above, violated Wis. Adm. Code § RL 24.05. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes

ORDER

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

IT IS FURTHER ORDERED, that, Daniel M. Spransy, is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that Respondent shall, before 12/31/09, demonstrate successful to the Department Monitor completion of 3 hours of continuing education in the area of condominium law, offers and listings, which shall be in addition to any continuing education required for renewal of his license(s). The proposed course(s) shall have been pre-approved by the Board or its designee, and any continuing education taken without such pre-approval shall be approved only in the sole discretion of the Board. All requests for approval shall be submitted through the Department Monitor.

IT IS FURTHER ORDERED, that Respondent shall pay COSTS in this matter in the amount of \$850, no later than October 20, 2009.

IT IS FURTHER ORDERED, that pursuant to Wis. Stat. § 227.51(3), and Wis. Adm. Code ch. RL 6, violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's licenses. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit full payment of the Costs as set forth above, fails to demonstrate compliance with the ordered continuing education, the Respondent's licenses SHALL BE SUSPENDED, without further notice or hearing, until Respondent has paid the Costs in full,

together with any accrued interest, and has obtained the required, pre-approved continuing education.

Dated this 2 - 8, 200¹⁰9.

WISCONSIN REAL ESTATE BOARD, by:



a member of the board

PETER A. SVEUM

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