

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
 : 95 REB 232
ROBERT A. KORDUS, :
RESPONDENT :

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

Robert A. Kordus
710 Vine Street
Union Grove, WI 53182

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

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. Robert A. Kordus (D.O.B. 01/09/57) is duly licensed in the state of Wisconsin to practice as a real estate broker (license #42259). This license was first granted on June 8, 1987.
2. Mr. Kordus's latest address known to the Department of Regulation and Licensing Division of Enforcement is 710 Vine Street, Union Grove, WI 53182.
3. In resolution of the pending action against his license, Mr. Kordus neither admits nor denies allegations against him that he falsely represented he had taken the continuing education courses required for renewal of his 1995-96 license registration.
5. Mr. Kordus consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction over this matter, pursuant to Ch. 452.14, Wis. Stats.

2. The Wisconsin Real Estate Board is authorized to enter into the attached stipulation, pursuant to §§227.44(5), Wis. Stats.

3. The conduct described above constitutes a basis for discipline under Wis. Stats. §§452.12(5) and 452.14(3)(a), (k) and (l), and Wis. Adm. Code §§RL 24.17(3) and RL 25.065.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

FORFEITURE

1. Respondent shall pay to the Department of Regulation and Licensing a forfeiture of ONE HUNDRED FIFTY dollars (\$150.00). Payment shall be submitted ~~at~~ within thirty (30) days from the date of this order.

COSTS

2. Within thirty (30) days from the date of this Order, Respondent shall pay to the Department of Regulation and Licensing partial costs of these proceedings in the amount of TWO HUNDRED dollars (\$200.00).

PAYMENT

3. All payments under this Order shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Wisconsin Department of Regulation and Licensing
Attn: Department Monitor
P.O. Box 8935
Madison, WI 53708.

LIMITATION

4. Until otherwise ordered by the Board, the respondent shall as a condition precedent to issuance of license renewal submit independent documentation acceptable to the Board establishing his satisfaction of all educational requirements for renewal of his biennial registration.

SUMMARY SUSPENSION

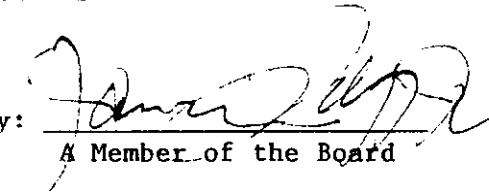
IT IS FURTHER ORDERED that

5. In the event that respondent fails to timely comply with any terms of this Order, the license of Respondent to practice as a real estate salesperson in Wisconsin SHALL BE SUSPENDED, without further notice or hearing, until such time as the Respondent has complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

REAL ESTATE BOARD

By:


A Member of the Board

4/25/96
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
ROBERT A. KORDUS,	:	95 REB 232
RESPONDENT	:	

It is hereby stipulated between Robert A. Kordus, personally on his own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered in resolution of the pending proceedings against Mr. Kordus' license to practice as a real estate salesperson in the state of Wisconsin. This stipulation and Order shall be presented directly to the licensing authority for ratification.

2. Mr. Kordus understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Mr. Kordus is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.

4. Mr. Kordus agrees to the adoption of the attached Final Decision and Order by the Real Estate Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Real Estate Board assigned as an advisor in this investigation may appear before the Real Estate Board for the purposes of speaking in support of this agreement and answering questions that

the members of the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Mr. Kordus in recommending the Real Estate Board adopt this Stipulation and issue the attached Final Decision and Order.

Robert A. Kordus
Robert A. Kordus

4-15-96
Date

Steven M. Goe
Steven M. Goe, Attorney
Division of Enforcement

4-18-96
Date

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN REAL ESTATE BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

April 29, 1996

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)