

# 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](mailto:web@drl.state.wi.gov)

**FILE COPY**

**STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD**

---

**IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :**

**MARC B. RANGER :  
RESPONDENT. :**

**FINAL DECISION AND ORDER :  
98 REB 159 :**

**LS 9808271 REB :**

---

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

Marc B. Ranger  
757 Sand Lake Rd.  
Onalaska, WI 54650

Wisconsin Real Estate Board  
P.O. Box 8935  
Madison, WI 53708

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 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. **Marc B. Ranger** ("Ranger"), date of birth 4/4/46, is licensed in the State of Wisconsin as a real estate broker having license # 90-34480. This license was first granted to him on 5/29/85. Ranger is the broker/president of First Choice Inc. license # 91-834617, located at 757 Sand Lake Rd. Onalaska, WI 54650
2. Ranger's most recent address on file with the Department of Regulation and Licensing is 757 Sand Lake Rd. Onalaska, WI 54650.

3. On or about April 8, 1998, Gene Kleinert, an auditor with the Department of Regulation and Licensing, conducted an audit of First Choice Inc's real estate trust account records. During the audit Mr. Kleinert found discrepancies in First Choice Inc's office trust account bookkeeping system as follows:

- a. The reconciled bank statement balance and journal balance as of December 31, 1997, was \$180.00 less than the trial balance for the same time period. The reason for this difference was that check number 1652 was written and paid at \$9,643.00 and recorded in the journal for that amount. However, check number 1652 was recorded in the ledger (number R1051) for \$9,463.00, a difference of \$180.00. The check was issued October 29, 1997, but the bookkeeping records were not corrected until February, 1998. A copy of check 1652 is attached as attached as **Exhibit 1A** and is incorporated herein by reference. A copy of the Journal entry dated October 29, 1997, for check 1652 is attached as **Exhibit 1B** and is incorporated herein by reference. A copy of the Ledger (R1051) entry dated October 29, 1997, is attached as **Exhibit 1C** and is incorporated herein by reference. A copy of the Journal entry dated February 2, 1998, "Adjust the Balance" is attached as **Exhibit 1D** and is incorporated herein by reference.
- b. Journal entries for December 1997, did not contain check numbers. A copy of the December 1997, Journal page is attached as **Exhibit 2** and is incorporated herein by reference.

### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to sec. 452.14, Wis. Stats.
2. The Wisconsin Real Estate Board is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
3. Respondent **Marc B. Ranger** has violated:
  - a.. Section RL 18.13(5) of the Wisconsin Administration Code and section 452.14(3)(i) of the Wisconsin Statutes by failing for the months of November, December 1997, and January 1998, to review the reconciled account statement balance, the open ledger account listing, and the journal running balance to ensure that all of these records were valid and in agreement as of the date the account statement was reconciled.
  - b. Section RL 18.13(1)(b) of the Wisconsin Administration Code by failing to record check numbers for December 1997 disbursements in the Journal (Exhibit 2)

### ORDER

## ORDER

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

IT IS FURTHER ORDERED, that Respondent **Marc B. Ranger**, within six months of the date of this Order, successfully complete the following course module from the 36 hour pre licensing real estate broker's course at an educational institution approved by the Department of Regulation and Licensing:

- a. The five hour Trust Accounts, Escrow, Closing Statement module RL 25.02(2)(c), of the Wisconsin Administration Code.

and submit proof of the same in the form of verification from the institution providing the education to the Real Estate Board, P.O. Box 8935, Madison, WI 53708-8935. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that are or may be instituted by the Board or the Department of Regulation and Licensing.

IT IS FURTHER ORDERED, that in the event Respondent **Marc B. Ranger** fails to successfully complete the educational requirements within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **Marc B. Ranger**, his real estate license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until further order of the Board.

IT IS FURTHER ORDERED, that Respondent **Marc B. Ranger**, pay partial costs of this matter in the amount of \$200.00, within 30 days of the date of this Order by making payment of the same to the Department of Regulation and Licensing, P.O. Box 8935, Madison, WI 53708-8935.

IT IS FURTHER ORDERED, that in the event Respondent **Marc B. Ranger** fails to pay the \$200.00 partial costs within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **Marc B. Ranger**, his real estate license shall be suspended 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 and his failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 98 REB 159 be, and hereby is, closed.

Dated this 27 day of AUGUST, 1998.

**WISCONSIN REAL ESTATE BOARD**

By: \_\_\_\_\_

A member of the Board

I:\FSTCHOCF DOC



RE/MAX FIRST CHOICE  
TRUST ACCOUNT  
757 SAND LAKE ROAD PH 608-781-7629  
ONALASKA, WI 54650

1652

DATE Oct 29, 1997

<sup>79-1175</sup>  
918

PAY  
TO THE  
ORDER OF

Richard and Mary Karcher

\$ 9643.00

Nine Thousand Six Hundred and Forty Three Dollars and 00/100's

DOLLARS

M&I Bank of LaCrosse  
LaCrosse, Wisconsin 54601

FOR Septic System N5152 Shady Birch Lane

⑈001652⑈ ⑈091811758⑈ 0000 ⑈42237⑈

⑈0000964300⑈

EXHIBIT 1A

14.3

DATE - 19 97	BUYER OR PAYEE	SELLER	LEDGER	CHECK NO.	RECEIPTS	DISBURSEMENTS	BALANCE
10-20	OPTIONS REALTY - 1345 RIVERVIEW		R1204	1642		1000 -	39291 65
10-20	GERRARD HOESCHL - 1102 ST. ANDREW		R1215		5000 -		44291 65
10-20	GERRARD - 4751 - 47 - 422-28 So 18th Pl.		R1216		1000 -		45291 65
10-20	Proceeds - 143 So. Harmony		R1185		3730		49021 65
10-20	RFC COMM Acct - 143 S Harmony		R1185	1643		4230 -	44791 65
10-22	M. ... - 1102 S ...			1644		500 -	44291 65
10-22	M. ...			1645		500 -	39791 65
10/24	Jane Ludwig - 927 St. Andrew		R1199	1647		500 -	39291 65
10/24	GERRARD HOESCHL - LOT 15 NIBRAM		R1208	1648		1000 -	38291 65
10/24	COWELL PARKER - 710 Free Ln		R1207	1649		100 -	37391 65
10/23	RFC ... - TO ...			1646		1500 -	35791 65
10/23	Joe ...				1500 -		37291 65
10/24	PROCEEDS - 205 ...		R1203		5737 50		430291 65
10/24	RFC COMM Acct - 205 ...		R1203	1650		6737 50	36291 65
10/24	PROCEEDS ...		R1210		3155 -		39446 65
10/24	PROCEEDS ... - 200 ...		R1210	1651		3255 -	36191 65
10/27	M K. VOORWER - 415 S. 17th		R1211		1200 -		34991 65
10/27	Marcy M. ... - 1919 Mississippi		R1218		500 -		37691 65
10/27	K. Tukua - 421 Park St.		R1219		300 -		37991 65
10/27	Cent ... 21 ...		R1220	1646	500 -		38491 65
10/29	RFC ...		R1051	1652		6143 -	39848 65
10/29	VALEN Macken 1623 Keller Ct		R1221		2000 -		37848 65
10/29	PHI Kabor - 5152 ...		R1051	1653		90 -	30758 65
10-29	Paul ...		R1051	1654		200 -	30493 65
10-29	Tom Roberts		R1051	1655		200 -	28498 65
10-29	Proceeds 3336 East Fairchild		R1092		1475 -		30323 65
10-29	RFC ... in A.C.		R1092	1656		6475 -	23848 65
10-30	M. K. ... N 2328 Broadway		R1222		310 -		28848 65
10-30	Fitzpatrick/Bull: 1314 ...		R1223		50 -		27348 65
10-31	Schultz/Bronick N404 CT#M				3833 -		31181 65

Seller THOMAS B. ROBERTS Location of Property NS157 SHADY BIRCH LN Page R1051  
 Buyer RICHARD / MARGARET KARCHER Type of Transaction SALE Price 127,000-

19 <u>97</u>	Date	Name or Payee	Check No.	✓	Deposits	Disbursed	Balance
3	31	EM. R. KARCHER		✓	1000 -		1000 -
5	30	Proceeds		✓	2890		2890 -
5	30	RFC Comm Acct	1520	✓		2890	- 0 -
Closed 5/30/97							
5	30	Trust for Radon & Septic		✓	11463		11463 -
10	29	Richard & Margaret Karcher	1652			9463 -	2000 -
10	29	PHI Radon Test	1653			90 -	1910 -
10	29	Paul Johnson - Soil test	1654			5005 -	1410 -
10	29	Tom Roberts	1655			1415	- 0 -



Sheet 1A

DATE - 19 <u>98</u>		BUYER OR PAYEE	SELLER	LEDGER	CHECK NO.	RECEIPTS	DISBURSEMENTS	BALANCE		
								12948	65	
2-2	98	Adjust the Balance				180	00	13128	65	
2-2	98	VONHADEN 1107 Ayr St.		R1268		500	-	12628	65	
2-3	98	GERHARD HOECHLER 367 Eastland		R1264	1717		500	00	13128	65
2-4	98	CINDY GERKE - 1004 Parkridge		R1269		500	-	13628	65	
2-6	98	SCHMELZER - 2918 S. Pleasant		R1270		1000	-	14628	65	
2-6	98	RFC Comm - 1004 Parkridge		R1269	1718		500	00	14128	65
2-9	98	LUBINSKY - 515 L. HANSEN Rd		R1271		1000	-	15128	65	
2-9	98	MARIE PARSONS - 200 W. State Westby		R1272		1000	-	16128	65	
2-10	98	Shelley Benson 1224 Cliffview		R1243	1719		1000	-	15128	65
2-10	98	GRUNDEL 2312 Prospect		R1273		400	-	15528	65	
2-14	98	The Prudential 1223 Ayr		R1274		300	-	15828	65	
2-11	98	The Title Co, Spring Coulee		R1146	1720		3000	-	12828	65
2-12	98	SCHROEDER 720 Lake St.		R1275		500	-	13328	65	
2-12	98	RICHARDSON 817 Julian Way		R1276		1000	-	14328	65	
2-12	98	Kenneth Larson 605 Madison		R1277		500	-	14828	65	
2-13	98	RFC Comm Acc 1445 24th St		R1265	1721		500	-	14328	65
2-17	98	Coldwell Banker 3540 East Ave.		R1267	1722		2500	-	11828	65
2-17	98	Lackore E/EC, 143-9 Causeway		R1278		1000	-	12828	65	
2-17	98	Karen Wilson 128 N. Erickson		R1279		500	-	13328	65	
2-17	98	BRAD & MARY JO JOHNSON 105 Brooks Dr		R1088	1724		1500	-	11828	65
2-17	98	PHI 1051 Brooks Dr		R1088	1725		90	-	11738	65
2-17	98	RFC Comm Spring Coulee		R1146	1723		1000	-	10738	65
2-17	98	Rainbow 817 Julian Way		R1280		500	-	11238	65	
2-17	98	The Prudential 12223 Horton		R1271		1000	-	12238	65	
2-17	98	Colt 557 Stonebrow		R1282		2000	-	14238	65	
2-17	98	Brent & Lori Schroeder 720 Lake St.		R1275	1726		500	-	13738	65
2-18	98	Melby 112 S. 24th St.		R1283		1000	-	14738	65	
2-18	98	Reinl 3522 S. East Ave		R1284		1000	-	15738	65	

DATE - 19 <u>97</u>		BUYER OR PAYEE	SELLER	LEDGER	CHECK NO.	RECEIPTS	DISBURSEMENTS	BALANCE
12-2	97	<sup>EARNST</sup> Velasquez / 518 GREEN ST		R1245		1000 00		24448 65
12-2	97	EARNST 310 PETERSON		R1246		1000 00		25448 65
12-3	97	Lain D... 118 N. 3RD.		R1235			500 00	24948 65
12-3	97	Century 21 A... 1328 State St		R1237			2000 00	22948 65
12-3	97	CINDY G... 1006 Q...		R1242			2000 00	20948 65
12-3	97	EARNST 2917 Wild Rose Ln		R1247		1500 00		22448 65
12-5	97	Deposit 455 517th St Proceeds		R1217		4640 00		27088 65
12-5	97	RFC Comm Acc		R1217			5644 00	21448 65
12-5	97	<sup>EARNST</sup> L... Pilon 2145 King		R1248		5000 00		26448 65
12-8	97	G/H for W2001 JOY LANE		R1244		7000 00		33448 65
12-9	97	Proceeds 518 GREEN ST.		R1245		2190 00		35638 65
12-9	97	RFC Comm Acc		R1245			3190 00	32448 65
12-10	97	Peter Muzker - Title Co Check		R1213			266 00	32182 65
12-10	97	RFC Comm Acc - 512A 8th		R1213			1734 00	30448 65
12-11	97	CINDY NUMSEN 927 ST ANDREW		R1250		500 00		30948 65
12-11	97	TODD GUNNARSON 810 S 18th AVE		R1251		750 00		31698 65
12-15	97	RANDY & MARY SMITH 2631 WARD AVE		R1252		500 00		32198 65
12-17	97	G/H for 310 PETERSON ST.		R1246			1000 00	31198 65
12-17	97	G/H for 2145 King St		R1248			5000 00	26198 65
12-17	97	AT... BAL for R1134					500 00	25698 65
12-16	97	EARNST 1615 HYPEN ST		R1253		500 00		26198 65
12-19	97	Proceeds 927 St Andrew		R1253		3035 00		29233 65
12-10	97	Deposit Ch 41688 mistake				1734 00		30967 65
12-22	97	Collection # 1688 to Commerce					1734 00	29233 65
12-22	97	RFC Acc Proceeds 927 St Andrew		R1253			2535	25768 65
12-22	97	Proceeds 1027 Rose St.		R1230		1450 00		27148 65
12-22	97	RFC Comm Acc - 1027 Rose St		R1230			2450 00	24698 65
12-22	97	Paul Wolczek - mutual Release		R1253			500	24198 65
12-23	97	Ph... 230 N 5th - ...		R1253	A	5800 00		29998 65
EXHIBIT 2								

**STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD**

---

<b>IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST</b>	:	
	:	
	:	<b>STIPULATION</b>
	:	<b>98 REB 159</b>
<b>MARC B. RANGER</b>	:	
<b>RESPONDENT.</b>	:	

---

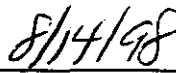
The parties in this matter agree and stipulate as follows:


1. This Stipulation is entered into for the purpose of resolving this matter known as investigative file 98 REB 159. Marc B. Ranger, ("Respondent") consents to the resolution of this matter by this Stipulation and the attached Final Decision and Order.
2. Respondent 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 him, 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. Respondent has had the opportunity to consult with legal counsel regarding these matters and the legal implications of this Stipulation.
4. Respondent voluntarily and knowingly waives his rights set forth in paragraph 2 above, on the condition that all of the provisions of this Stipulation are approved by the Real Estate Board.
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 or the proposed Final Decision and Order. The matter shall then be returned to the Division of Enforcement for further proceedings which may include the filing of a formal administrative disciplinary complaint. In the event that the 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. If the Board accepts the terms of this Stipulation, 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.

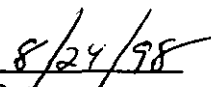
7. Respondent agrees that Complainant's attorney, Gerald Scanlan, may appear at any meeting of the Board with respect to the Stipulation and that his appearance is limited to statements in support of the Stipulation and to answer any questions the Board may have regarding the Stipulation. Respondent waives any rights he may have to notice of that meeting and to be present at the meeting of the Board.

8. The Division of Enforcement joins the Respondent in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
\_\_\_\_\_  
Marc B. Ranger  
Respondent

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Gerald M. Scanlan, Attorney  
Division of Enforcement

  
\_\_\_\_\_  
Date

IAFSTCHOCS DOC

STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING  
BEFORE THE REAL ESTATE BOARD

In the Matter of the Disciplinary Proceedings Against

Marc B. Ranger,

AFFIDAVIT OF MAILING

Respondent.

STATE OF WISCONSIN    )  
                                  )  
COUNTY OF DANE        )

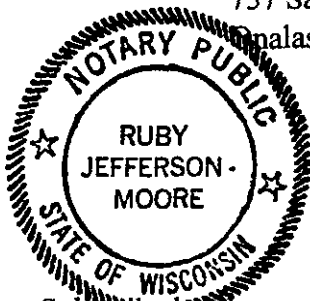
I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On August 28, 1998, I served the Final Decision and Order dated August 27, 1998, LS9808271REB, upon the Respondent Marc B. Ranger by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is Z 233 819 723.

3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

Marc B. Ranger  
757 Sand Lake Road  
Manalaska WI 54650



*Kate Rotenberg*

Kate Rotenberg  
Department of Regulation and Licensing  
Office of Legal Counsel

Subscribed and sworn to before me

this 28<sup>th</sup> day of August, 1998.

*Ruby Jefferson-Moore*  
Notary Public, State of Wisconsin  
My commission is permanent.

## NOTICE OF RIGHTS OF APPEAL

TO: MARC B RANGER

You have been issued an Order. For purposes of service the date of mailing of this Order is 8/28/98. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

### A. 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 section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Order is shown above.

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

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

### B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Order 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. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

### SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:

STATE OF WISCONSIN REAL ESTATE BOARD

1400 East Washington Avenue

P.O. Box 8935

Madison WI 53708-8935