

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

CHARLENE I. NASGOVITZ,  
RESPONDENT

FINAL DECISION AND ORDER  
LS 9810121 REB  
LS 9801131 REB

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

Charlene I. Nasgovitz  
W8417 County Road Q  
Pound, WI 54161

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

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 Wisconsin Real Estate Board approves the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. **Charlene I. Nasgovitz** ("Nasgovitz"), W8417 County Road Q, Pound, WI 54161 is a real estate broker having a State of Wisconsin License No. 48783, which was granted on December 30, 1996. Prior to receiving her real estate broker license, Nasgovitz was previously licensed as a real estate sales person commencing on August 24, 1994. Her date of birth is September 28, 1950. Nasgovitz was employed by Younk's For Rest Inc., as a real estate licensee commencing on or about August 24, 1994 and continuing through on or about January 21, 1998. Commencing on or about January 21, 1998 Nasgovitz operated her real estate business under the trade name of CN Realty. The real estate broker license of Nasgovitz is currently under suspension.
2. These formal disciplinary cases involve allegations of fraudulent conduct on the part of Nasgovitz, and others, relating to numerous occasions of misrepresentation in the course of real estate transactions, including the creation of false and factitious documents in support of fraudulent loan applications.
3. Nasgovitz has offered to resolve all of the pending cases by the **Voluntary Surrender** of her real estate licenses pursuant to the terms of the Order set forth below.

**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 **Charlene I. Nasgovitz** violated the following:
  - a. Section 452.14(3)(d) of the Wisconsin Statutes by pursuing a continued and flagrant course of misrepresentation as described in the formal administrative complaints filed in these disciplinary actions.
  - b. Section 452.14(3)(i) of the Wisconsin Statutes and section RL 24.085 of the Wisconsin Administrative Code, by drafting or using false documents which falsely portrayed an interest in real estate, thereby demonstrating incompetency to act as a broker in a manner which safeguards the interests of the public.
  - c. Sections 452.14(3)(k) and 452.14(3)(i) of the Wisconsin Statutes and section RL 24.17(3) of the Wisconsin Administrative Code, by engaging in fraudulent conduct consisting of drafting and using

documents related to a real estate transaction containing false information for the purpose aiding and abetting Thomas J. Younk in obtaining a mortgage loan, or loans, under false pretenses.

d. Sections 452.14(3)(i) and 458.055(1), 458.055(3) and 458.055(4) of the Wisconsin Statutes and section RL 24.17(1) of the Wisconsin Administrative Code, by using a title of State Certification #, and other language, in her appraisals suggesting that she is certified and/or licensed under chapter 458 of the Wisconsin Statutes and by engaging in the practice of real estate appraisal without a license as is required under the provisions of Chapter 458 of the Wisconsin Statutes.

### **ORDER**

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

IT IS FURTHER ORDERED, that the **Voluntary Surrender** of the Real Estate Broker's license of Respondent **Charlene I. Nasgovitz**, credential #90-48783, is accepted.

IT IS FURTHER ORDERED, that all rights and privileges heretofore granted to Respondent Charlene I. Nasgovitz pursuant to real estate broker license #90-48783 are terminated effective at 11:59 P.M. on the date of this Order as set forth below.

IT IS FURTHER ORDERED, that Respondent Charlene I. Nasgovitz shall not be granted a credential under chapter 452 of the Wisconsin within 365 days subsequent to the date of this Order. During the 365 days subsequent to the date of this Order, the denial, in whole or in part, of any application or petition by Charlene I. Nasgovitz for a credential authorized under chapter 452 of the Wisconsin Statutes shall not constitute denial of a license and shall not give rise to a contested case within the meaning of sections 227.01(3) and 227.42 of the Wisconsin Statutes.

IT IS FURTHER ORDERED, that at any time after 365 days subsequent to the date of this Order, the Respondent Charlene I. Nasgovitz, may petition the Wisconsin Real Estate Board for issuance of a Wisconsin real estate salesperson license. This petition will be granted if it affirmatively and unequivocally states in writing, signed under oath, the following:

1. That Respondent has not engaged in real estate practice in the State of Wisconsin during the time she has not been licensed;
2. That Respondent has not been the subject of further disciplinary action by the State of Wisconsin;
3. That Respondent is not, at the time of the filing of the Petition with the Board, a subject of a pending investigation by the Division of Enforcement of the Department of Regulation and Licensing;
4. That Respondent has never been arrested;
5. That Respondent has never been convicted of any crime; and
6. That Respondent has completely and successfully satisfied all required continuing education required for both real estate salespersons and real estate brokers from the date of the Board Order of Summary Suspension, through the date the Petition is filed with the Board.

IT IS FURTHER ORDERED, that if the Board grants the Respondent Charlene I. Nasgovitz a Wisconsin real estate sales person license, that license shall be subject to the following **LIMITATIONS**:

1. Upon obtaining employment as a licensed real estate salesperson, with a Wisconsin licensed real estate broker, Charlene I. Nasgovitz shall immediately provide the Board with the broker-employer's name, address and telephone number.
2. Commencing the first day of the third month following the issuance of a limited real estate salesperson license to Charlene I. Nasgovitz, and on the first day of every three months thereafter, respondent shall cause her broker-employer to submit a written and signed statement to the Board assessing:
  - a) the performance and dealings with the public by respondent as a real estate licensee; and
  - b) whether or not respondent has followed the guidelines and requirements established by the broker-employer; and
  - c) whether or not respondent has followed the laws and regulations of the State of Wisconsin relating to the practice of real estate.

IT IS FURTHER ORDERED, that following the completion of twenty four (24) months of working as a licensed real estate sales person in full compliance with the limitations set forth herein, the Respondent Charlene I. Nasgovitz, may petition the Board for issuance of a Wisconsin real estate broker's license. This petition will be granted if it

affirmatively and unequivocally states in writing, signed under oath, the following:

1. That Respondent has not engaged in real estate practice in the State of Wisconsin during the time she has not been licensed;
2. That Respondent has not been the subject of further disciplinary action by the State of Wisconsin;
3. That Respondent is not, at the time of the filing of the Petition with the Board, a subject of a pending investigation by the Division of Enforcement of the Department of Regulation and Licensing;
4. That Respondent has never been arrested;
5. That Respondent has never been convicted of any crime;
6. That Respondent has completely and successfully complied with the limitations placed upon her real estate sales person license as stated herein; and
7. That Respondent has completely and successfully satisfied all required continuing education required for both real estate salespersons and real estate brokers from the date of the Board Order of Summary Suspension, through the date the Petition is filed with the Board.

IT IS FURTHER ORDERED, that formal cases LS 9801131 REB and LS 9810121 REB be, and hereby are closed as to Respondent Charlene I. Nasgovitz, and not as to any other Respondent.

Dated this 10th day of \_\_\_\_\_, 1998\_\_\_\_\_.

**WISCONSIN REAL ESTATE BOARD**

By: Richard Hinsman\_\_\_\_\_

A Member of the Board

