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IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:	FINAL DECISION AND ORDER
HARRY W. BAKER,	LS 9903252 REB
RESPONDENT	Enforcement file 99 REB 002

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

*Harry W. Baker
W8071 County Road X
Crivitz, WI 54114*

*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. **Harry W. Baker** ("Baker"), W8071 County Road X, Crivitz, WI 54114 is a real estate broker having a State of Wisconsin License No. 48686, which was granted on December 10, 1996. Prior to receiving his real estate broker license, Baker was previously licensed as a real estate sales person commencing on or about May 31, 1995. His date of birth is August 16, 1943. Baker was employed by Younk’s For Rest Inc., as a real estate licensee commencing on or about June 8, 1995 and continuing through on or about February 27, 1998.
2. This investigation involves allegations of fraudulent conduct on the part of Baker, 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. Baker has offered to resolve this investigation by the **Voluntary Surrender** of his 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 Harry W. Baker violated the following:

a. 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 appraisals of real estate suggesting that he 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, all in support of fraudulent mortgage loan applications of Thomas J. Younk.

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 **Harry W. Baker**, credential #90-48686, is accepted.

IT IS FURTHER ORDERED, that all rights and privileges heretofore granted to Respondent **Harry W. Baker** pursuant to real estate broker license #90-48686 are terminated effective at 11:59 P.M. on the date of this Order as set forth below.

IT IS FURTHER ORDERED, that Respondent Harry W. Baker shall not be granted a credential under chapter 452 of the Wisconsin for a minimum period of two years subsequent to the date of this Order. During the two year period subsequent to the date of this Order, the denial, in whole or in part, of any application or petition by Harry W. Baker 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 two years subsequent to the date of this Order, the Respondent Harry W. Baker, 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 he 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 or charged with criminal activity;
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 Division of Enforcement Investigation number 99 REB 002 be, and hereby is closed.

Dated this 25th day of March, 1999.

WISCONSIN REAL ESTATE BOARD

By: James Imhoff

A Member of the Board

