

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/wscca>.
- 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

STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD
IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

DAVID J. REED,

RESPONDENT

FINAL DECISION AND ORDER

LS 0001275REB

Division of Enforcement Case No. 96 REB 308

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

*David J. Reed
803 South Main Street #1
Viroqua, WI 54665*

*Real Estate Board
PO Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
PO 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. David J. Reed (D.O.B. 05/07/47) at all times relevant to this action was duly licensed as a Real Estate Salesperson in the state of Wisconsin (license # 30755). This license was first granted on April 18, 1989. On March 4, 1998 Respondent was licensed as a real estate broker (Wisconsin license # 49295).
2. Respondent's most recent address on file with the Wisconsin Real Estate Board is 803 South Main Street # 1, Viroqua, WI 54665.
3. At all times relevant to this investigation, Respondent was working as a Real Estate Salesperson at Sullivan Real Estate & Auctions, Inc. 207 South Main Street, Viroqua, Wisconsin.
4. On or about August 26, 1996, the Respondent obtained the signatures of grantors/sellers John R. Johnson and Donna M. Johnson on a deed for the transfer of real estate described as "Part of Government Lot 3 of Section 21, Township 10 North, Range 4 West, lying East of River Road and West of Kickapoo River, Village of Gays Mills, Crawford County, Wisconsin." A true and correct copy of this deed is attached to this document as Exhibit A. Exhibit A is incorporated by reference into this document. Respondent was acting as agent for the sellers in this transaction.
5. On or about August 26, 1996, John R. Johnson signed Exhibit A under his own signature and signed his wife's name (Donna M. Johnson) to the deed. Mrs. Johnson did not personally sign the deed. This deed was processed as if the signature of Mrs. Johnson was genuine.
6. Respondent knew or should have known that the signature of Mrs. Johnson was not genuine.
7. Upon the request of the Division of Enforcement, Respondent has obtained a warranty deed to correct this matter. This Deed was recorded October 22, 1999.

8. In resolution of this matter, Respondent 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 sec. 452.14, Stats.
2. The conduct described above constitutes a basis for discipline under secs. 452.133(1) and 452.14(3)(b), (i) and (k), Wis. Stats., and Wisconsin Administrative Code §§ RL 24.025(1) and RL 24.17(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. Respondent David J. Reed is **REPRIMANDED**.
2. Within sixty (60) days from the date of this Order, Respondent shall submit a FORFEITURE in the amount of FIVE HUNDRED dollars [\$500.00]. Payment of all costs and forfeitures shall be made via certified check or money order payable to the Wisconsin Department of Regulation and Licensing, Attn: Department Monitor, PO Box 8935, Madison, WI 53708.
3. Within sixty (60) days from the date of this Order, Respondent shall pay partial costs of this proceeding in the amount of TWO HUNDRED dollars [\$200.00]. Payment of all costs and forfeitures shall be made via certified check or money order payable to the Wisconsin Department of Regulation and Licensing, Attn: Department Monitor, PO Box 8935, Madison, WI 53708.
4. Respondent shall within nine (9) months from the date of this Order submit documentation acceptable to the Board of successful completion the following course modules from the Real Estate Broker's Course at an educational institution approved by the Department of Regulation and Licensing:
 - a) the two hour contracts section [Ref. Wis. Admin. Code § RL 25.02 (2)(a)]; and
 - b) the four hour business ethics module [Ref. Wis. Admin. Code § RL 25.02 (2)(g)].

Acceptable documentation shall include certification from the sponsoring organization as well as an affidavit executed by Respondent verifying that he attended the courses in their entirety. The education obtained as a result of this order shall not count as course hours in satisfaction of sec. 452.12(5)(c), Wis. Stats.

5. The **Department Monitor** is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receiving and coordinating any and all reports and petitions. The Department Monitor may be reached as follows:

Department Monitor

Department of Regulation Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

FAX (608) 266-2264

TEL. (608) 261-7938

6. In the event that Mr. Reed fails to timely comply with the terms and conditions set forth above, his Real Estate Salesperson's license may be SUSPENDED, without further notice or hearing, until such time as he has complied with the terms of this Order. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license.

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

REAL ESTATE BOARD

By:

James Imhoff, Jr.

January 27, 2000

On behalf of the Board

Date