

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

LMJ ASSOCIATES INC. D.B.A.
REMAX OF WAUSAU AND
LAVON M. JENSEN,
RESPONDENTS.

FINAL DECISION AND ORDER
00 REB 001
LS0003235

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

LMJ Associates Inc.
d.b.a ReMax of Wausau
1314 Grand Ave.
Wausau, WI 54403

Lavon M. Jensen
1314 Grand Ave.
Wausau, WI 54403

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. LMJ Associates Inc., d.b.a. ReMax of Wausau** (LMJ), is a Wisconsin Real Estate Corporation having license # 91 834269. This license was first granted to it on 06/04/92. LMJ's most recent address on file with the Department of Regulation and Licensing is 1314 Grand Ave. Wausau, WI. 54403
- 2. Lavon M. Jensen** ("Jensen"), date of birth 11/30/31, is licensed in the State of Wisconsin as a real estate broker having license # 90 21597. This license was first granted to her on 2/23/79. Jensen's most recent address on file with the Department of Regulation and Licensing is 1314 Grand Ave. Wausau WI 54403.
- 3. Jensen** is the president of LMJ Inc., and was the broker who had the supervisory responsibility of the real estate trust account at LMJ Inc.

4. On or about October 21, 1999, Gene Kleinert an auditor with the Department of Regulation and Licensing, conducted a compliance audit of Lavon M. Jensen's real estate trust account bookkeeping records. During the audit Kleinert discovered discrepancies in the real estate trust account as detailed in form 344. A copy of form 344 is attached as **Exhibit 1** and is hereby incorporated into this document.

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 **Lavon M. Jensen** has violated:
 - a. Sections RL 18.13(2), RL 18.13(3) RL 18.13(4), RL 18.13(5) and RL 18.13(6) of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes by failing to maintain a required ledger, failing to do required monthly account reconciliation, trial balances and validations.
4. Respondent **LMJ Associates Inc., d.b.a. ReMax of Wausau** has violated:
 - a. Sections RL 18.13(2), RL 18.13(3) RL 18.13(4), RL 18.13(5) and RL 18.13(6) of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes by failing to maintain a required ledger, failing to do required monthly account reconciliation, trial balances and validations.

ORDER

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

IT IS FURTHER ORDERED, that Respondent **Lavon M. Jensen**, license #90-21597, be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **Lavon M. Jensen**, 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-section RL 25.02(2)(c), of the Wisconsin Administration Code.

and submit proof of the same to the Real Estate Board, P.O. Box 8935, Madison, WI 53708-8935, in the form of verification from the institution providing the education. 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 **Lavon M. Jensen**, 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 **Lavon M. Jensen**, her 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 **Lavon M. Jensen**, pay **PARTIAL COSTS** of this matter in the amount of \$300.00 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 **Lavon M. Jensen**, fails to pay the \$300.00 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 **Lavon M. Jensen**, her 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 her failure to pay the costs shall be considered a violation of

this Order by the Board.

IT IS FURTHER ORDERED, that Respondent **LMJ Associates Inc., d.b.a. ReMax of Wausau** license # 91 834269, is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED, that file 00 REB 001 be, and hereby is, closed.

Dated this 27th day of March, 2000

WISCONSIN REAL ESTATE BOARD

By:

Richard E. Hinsman

A member of the Board