

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE REVOCATION
OF THE LIMITED CEMETERY SALESPERSON
REGISTRATION AND LIMITED CEMETERY PRENEED
SELLER REGISTRATION FOR:

JENNIFER M BERNITT	ORDER REVOKING LIMITED CEMETERY SALESPERSON REGISTRATION AND LIMITED CEMETERY PRENEED SELLER
Applicant	REGISTRATION

JENNIFER M BERNITT
2634 N LEXINGTON #4
JANESVILLE WI 53545

The State of Wisconsin Department of Regulation and Licensing, having considered the record in the above captioned matter, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. On June 12, 2000, the Wisconsin Department of Regulation and Licensing (department) issued an Order Adopting Stipulation granting a limited cemetery salesperson registration and a limited cemetery preneed seller registration to Jennifer M. Bernitt. Among other things, the Order Adopting Stipulation limits the registration of Jennifer M. Bernitt by requiring that Jennifer M. Bernitt file quarterly reports with the Department providing information concerning her employment, arrest and conviction record, job performance and compliance with the terms of her probation. Paragraph 2. of the Order Adopting Stipulation requires that quarterly reports be filed within 5 days after the following dates: August 1, 2000; November 1, 2000; February 1, 2001; May 1, 2001. A copy of the Order Adopting Stipulation is annexed hereto.
2. The Order Adopting Stipulation further provides that the failure of Jennifer M. Bernitt to comply with the limitation in the Order Adopting Stipulation shall result in the revocation of her limited cemetery salesperson registration and limited cemetery preneed seller registration without further notice or hearing or other proceedings.
3. Marlene Meyer is an employee of the Department whose job title is "Department Monitor" and whose responsibilities include receiving and monitoring reports from credential holders who hold a limited credential and who are required to file reports with the Department.
4. On or about February 6, 2001, Marlene Meyer wrote to Jennifer M. Bernitt, stating in part that:

"To date, you have failed to have the following filed with the Division of Enforcement in your behalf:

The quarterly report from your employer and your probation officer.

Please submit the requested reports by February 17, 2001. Failure to return the reports will result in the immediate revocation of your limited cemetery salesperson registration and cemetery preneed seller registration.

5. As of the date of this order, Jennifer M. Bernitt has not filed the reports required by the Order Adopting Stipulation.

CONCLUSIONS OF LAW

1. The failure of Jennifer M. Bernitt to file reports as required by the Department's order and described in the Findings of Fact, above, constitutes a failure to comply with the terms of the limitation in the Order Adopting Stipulation.
2. The State of Wisconsin Department of Regulation and Licensing has jurisdiction in this proceeding under Chapter 440, Stats., and the provisions in the Order Adopting Stipulation.
3. The State of Wisconsin Department of Regulation and Licensing has authority to issue the following Order under Chapter 440, Stats., and the provisions in the Order Adopting Stipulation.

ORDER

NOW, THEREFORE, IT IS ORDERED that the registration of Jennifer M. Bernitt to practice as a cemetery salesperson and cemetery preneed seller is REVOKED.

Dated this 14th day of March, 2001.

STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

CLETUS J. HANSEN, DIVISION ADMINISTRATOR

On behalf of the department