

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

**MARTIN P. KOLL,
RESPONDENT**

**FINAL DECISION AND ORDER
LS0108271AUC**

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

Martin P. Koll
N7482 Winnebago Drive
Fond du Lac, WI 54935

Wisconsin Auctioneers 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. Martin P. Koll, ("Koll"), N7482 Winnebago Drive, Fond du Lac, Wisconsin 54935 was licensed as an auctioneer in the State of Wisconsin pursuant to license #52-585, originally granted to him on March 1, 1995.
2. Koll's auctioneer license was not renewed at any time after December 31, 1996 and is currently in an expired status.
3. Koll has the right to renew his auctioneer license by payment of a late fee and the registration fee prior to December 31, 2001, pursuant to section 440.08(3) of the Wisconsin Statutes.
4. In December 2000, Koll performed activities that required a Wisconsin auctioneer license.

CONCLUSIONS OF LAW

1. The Wisconsin Auctioneers Board has jurisdiction to act in this matter pursuant to sec. 480.24, Wis. Stats.
2. The Wisconsin Auctioneers Board is authorized to enter into the attached Stipulation pursuant to sec.

227.44(5), Wis. Stats.

3. Respondent Martin P. Koll has violated section 480.08 of the Wisconsin Statutes by engaging in conduct requiring a current auctioneer registration at a time that he was not licensed. Koll is subject to discipline pursuant to section 480.24(2)(j) of the Wisconsin Statutes.

ORDER

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

IT IS FURTHER ORDERED, that Martin P. Koll, auctioneer certificate number 52-585 is **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent Martin P. Koll pay a **FORFEITURE** of \$500.00 within thirty (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 Martin P. Koll event fails to pay the above forfeiture of \$500.00 within the time and in the manner as set forth above, then his Auctioneers license shall be suspended, without further notice, hearing or order of the Board, and said suspension shall continue until the full amount of said forfeiture has been paid to the Department of Regulation and Licensing, and his failure to pay the forfeiture shall be considered a violation of this Order by the Board and may result in further discipline under section 480.24 of the Wisconsin Statutes.

IT IS FURTHER ORDERED, that prior to renewal of the auctioneer license of Respondent Martin P. Koll, he shall successfully complete the Department of Regulation and Licensing Auctioneer Education Examination given by the Division of Education, Exam & Public Information, Room 166, 1400 East Washington Avenue, Madison, Wisconsin 53708.

IT IS FURTHER ORDERED, that no license or credential authorized under chapter 480 of the Wisconsin Statutes shall be granted or issued to Martin P. Koll, or any entity owned or controlled in part or in whole by him, until Martin P. Koll has successfully completed the above stated exam and paid the above stated forfeiture.

IT IS FURTHER ORDERED, that file #00 AUC 040 be, and hereby is, closed.

Dated this 27th day of August, 2001.

WISCONSIN AUCTIONEER BOARD

Richard Lust

A member of the Auctioneer Board