

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN**

**BEFORE THE REAL ESTATE BOARD**

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**IN THE MATTER OF THE DISCIPLINARY**

**PROCEEDINGS AGAINST:**

**EDWARD E. HOFFER,  
RESPONDENT**

**FINAL DECISION AND ORDER  
LS0109271REB**

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

EDWARD E. HOFFER

W4707 State Road 19

Watertown, WI 53094.

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 Board in this matter adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. EDWARD E. HOFFER ("Hoffer"), is and was at all times relevant to the facts set forth herein, a real estate broker licensed to practice in the State of Wisconsin pursuant to license #90-828, originally granted to him on March 29, 1971. The last address on record for Hoffer at the Department of Regulation and Licensing is W4707 State Road 19, Watertown, WI 53094. Hoffer's date of birth is January 6, 1922.

**INVESTIGATION 97 REB 326**

2. Investigation 97 REB 326 involves Hoffer's representation of Donald D. Krause in the spring of 1994 in the purchase of the Clarence Schleicher farm located in Jefferson County, Wisconsin.

3. During the course of that representation, Hoffer failed to enter into a written agency agreement, and failed to disclose to Schleicher the fact that Hoffer was agent for Krause.

**INVESTIGATION 98 REB 158**

4. Investigation 98 REB 158 involves a compliance audit of Hoffer's real estate practice by Division of

Enforcement staff auditor Gene Kleinert. During the course of this audit, Kleinert determined that Hoffer had provided real estate brokerage services to Andre D. Williams and Anne B. Hegwood as Buyers and Annabel Woods King as Seller without a written agency agreement and without proper disclosure of agency status.

### **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 approve the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
3. Respondent, **EDWARD E. HOFFER** has violated the following:

#### **Regarding Investigation 97 REB 326**

- a. Section RL 24.08 of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes by failing to put into writing the agency agreement with Krause.
- b. Section RL 24.07(4)(a)(1) of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes, by failing to provide the required written agency disclosure to Krause.
- c. RL 24.07(4)(a)(2) of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes, by failing to provide the required written agency disclosure to Schleicher.

#### **Regarding Investigation 98 REB 158**

- d. Section RL 24.08 of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes by failing to put into writing the agency agreement with Williams and Hegwood.
- e. Section RL 24.08 of the Wisconsin Administrative Code and section 452.14(3)(i) of the Wisconsin Statutes by failing to put into writing the agency agreement with King.

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

IT IS FURTHER ORDERED, that Respondent **EDWARD E. HOFFER**, credential #90-828, is **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **EDWARD E. HOFFER** pay a **FORFEITURE** in this matter in the amount of \$1,000.00 within SIXTY (60) 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 **EDWARD E. HOFFER** fails to pay the \$1,000.00 **FORFEITURE** within the time and in the manner as set forth above, then his 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 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.

IT IS FURTHER ORDERED, that Division of Enforcement files #97 REB 326 and 98 REB 158 be, and hereby are, closed.

### **WISCONSIN REAL ESTATE BOARD**

By: Richard Hinsman 9-27-01

A Member of the Board Date