

# 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**

**DISCIPLINARY PROCEEDINGS AGAINST:**

**HARVEY R. HUBER,**

**RESPONDENT**

**FINAL DECISION AND ORDER**

**LS0204251REB**

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

Harvey Huber

W261S7375 Vista Del Tierra

Waukesha WI 53186

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. Harvey R. Huber (DOB: 07/09/47) is duly licensed in the state of Wisconsin as a real estate salesperson (license #42187). This license was first granted on October 18, 1994.
2. Huber's latest address on file with the Department of Regulation and Licensing is W261S7375 Vista Del Tierra, Waukesha WI 53186
3. From 1995 through 1997, Huber worked as a real estate salesperson for Homestead Realty, Inc., a licensed real estate business entity located at 6935 N. 76<sup>th</sup> Street, Milwaukee, WI 53223, (lic.#833274).
4. In 1997, Huber became a partner in Homestead Lakes Realty, Ltd., a licensed real estate business entity located at 6935 N. 76<sup>th</sup> Street, Milwaukee, WI 53223 (lic.#835003). Huber continued to work as a real estate salesperson for Homestead Lakes Realty, Ltd.
5. Huber's real estate license expired on December 31, 1996 and was not renewed until November 2000.

6. From January 2, 1997 to July 31, 2000, Huber received sales commissions from Homestead Realty Inc., and Homestead Lakes Realty, Ltd. for closed real estate transactions.
7. The license renewal notice was sent to Huber at his personal mailing address on record with the Department.
8. Homestead Realty, Inc. and Homestead Lakes Realty, Ltd., did not have a system to check the real estate licensees of employees and was unaware that Huber's license had not been renewed.
9. Huber maintains that his employers were to pay the license renewal fee and he was unaware that his license had expired because the fee was not paid.

CONCLUSIONS OF LAW

The conduct described above constitutes a basis for disciplinary action against the Respondent, pursuant to Wis. Stats. sec. 452.03 and RL 24.17(3).

**ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. Respondent Harvey Huber (lic.# 42187), is hereby **REPRIMANDED**.
2. Within thirty (30) days from the date of this Order, Respondent shall pay a forfeiture in the amount of one hundred and fifty dollars [\$150.00].
3. Payment shall be made via check or money order payable to the Wisconsin Department of Regulation and Licensing , Attn: Department Monitor, PO Box 8935, Madison, WI 53708.
4. In the event that Respondent fails to timely comply with the terms and conditions set forth above, their licenses shall be **SUSPENDED**, without further notice or hearing, until such time as compliance is gained with the terms of this Order
5. This Order shall become effective upon the date of its signing.

WISCONSIN REAL ESTATE BOARD

By: James Imhoff, Jr.

4-25-02

A Member of the Board

Date