

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
WILLIAM BERLAND and ROBERT HEFFERNAN : FINAL DECISION
d/b/a as HOMESTEAD REALTY INC., : AND ORDER
and HOMESTEAD LAKES REALTY, LTD., : LS0206281REB
RESPONDENTS :

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

William Berland
6935 N. 76th Street
Milwaukee, WI 53223

Robert Heffernan
2106 E. Wood Place
Shorewood, WI 53211

Homestead Realty, Inc.
6935 N. 76th Street
Milwaukee, WI 53223

Homestead Lakes Realty, Ltd.
6935 N. 76th Street
Milwaukee, WI 53223

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. William Berland (D.O.B. 07/21/38) is duly licensed in the state of Wisconsin as a real estate broker (license #27244). This license was first granted on March 14, 1961.
2. Mr. Berland's latest address on file with the Department of Regulation and Licensing is 6935 N. 76th Street, Milwaukee, WI 53223.
3. Robert Heffernan (D.O.B. 09/22/54) is duly licensed in the state of Wisconsin as a real estate broker (license #43641). This license was first granted on December 12, 1989.
4. Mr. Heffernan's latest address on file with the Department of Regulation and Licensing is 2106 E. Wood Place, Shorewood, WI 53211.
5. Homestead Realty, Inc., is a licensed real estate business entity located at 6935 N. 76th Street, Milwaukee, WI 53223, having received its license (#833274) on October 24, 1985.
6. Homestead Lakes Realty, Ltd., is a licensed real estate business entity located at 6935 N. 76th Street, Milwaukee, WI 53223, having received its license (#835003) on May 8, 1997.
7. At all times relevant to this action, Mr. Berland and Mr. Heffernan were principal officers and brokers of Homestead Realty, Inc. Mr. Berland was the president and treasurer of the company. Mr. Heffernan was the vice-president and secretary of the company.
8. At all times relevant to this action, Mr. Berland and Mr. Heffernan were principal officers and brokers of Homestead Lakes Realty, Ltd. Mr. Heffernan was the president of the company. Mr. Berland was the secretary of the company.
9. Beginning in 1995, Harvey Huber worked for Homestead Realty, Inc., and continued in his employment with the company until 1997, at which time Huber became a partner in Homestead Lakes Realty, Ltd.
10. Mr. Huber's real estate license expired on December 31, 1996 and was not renewed until November 2000.
11. From January 2, 1997 to July 31, 2000, the Respondents Homestead Realty Inc., and Homestead

Lakes Realty, Ltd. paid a total of eight (8) real estate sales commissions to Huber for closed transactions.

12. Respondents were unaware that Huber did not renew his license and did not have a system for checking the real estate licensees of employees.

CONCLUSIONS OF LAW

The conduct described above constitutes a basis for disciplinary action against the Respondents, pursuant to Wis. Stats. sec. 452.03, 452.12(3), 452.14, 452.19 and Wis. Adm. Code RL 17.07, 17.08(1) and RL 24.17(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. Respondent William Berland (lic.# 27244) is hereby **REPRIMANDED**.
2. Respondent Robert Heffernan (lic.#43641) is hereby **REPRIMANDED**.
3. Respondents Homestead Realty, Inc., (lic.# 833274) and Homestead Lakes Realty, Ltd., (lic.# 835003) are hereby **REPRIMANDED**.
4. Within thirty (30) days from the date of this Order, Respondents Berland and Heffernan shall each pay a forfeiture of three hundred dollars [\$300.00].
5. Within thirty (30) days from the date of this Order, Respondents Homestead Realty, Inc., and Homestead Lakes Realty, Ltd. Shall each pay a forfeiture of five hundred dollars [\$500.00].
6. The Respondents shall jointly pay the partial costs of this proceeding in the amount of twelve hundred dollars [\$1,200.00].
7. 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.
8. In the event that Respondents fail 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
9. This Order shall become effective upon the date of its signing.

WISCONSIN REAL ESTATE BOARD

By: Richard Kollmansberger

A Member of the Board

9-26-02

Date