

# 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** :  
 : **FINAL DECISION AND ORDER**  
**COLDWELL BANKER** : **LS0209261REB**  
**RESIDENTIAL REAL ESTATE,** :  
**RESPONDENT.** :

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

Coldwell Banker Residential Real Estate  
1341 W Mequon Rd.  
Mequon, WI 53092

Wisconsin Real Estate 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. **Coldwell Banker Residential Real Estate** ("respondent") is licensed in the State of Wisconsin as a real estate business entity having license # 91-833116. This license was first granted on 07/22/99. Respondent's most recent address is 1341 W. Mequon Rd., Mequon, WI 53092.

2. On or about May 22, 2000, Bradley L. Norman began working as a real estate salesperson with Coldwell Banker Residential Real Estate. In June 2001, because of poor performance, Coldwell Banker Residential Real Estate terminated Norman.

3. In June 2001, the Department of Regulation and Licensing received a Notice of Termination of Employment of Broker or Salesperson from Coldwell Banker Residential Real Estate, informing the Department that Norman was terminated on June 8, 2001. A true and correct copy of the Notice of Termination of Employment of Broker or Salesperson is attached as **Exhibit 1** and is incorporated herein by reference.

4. Upon receipt of the Notice of Termination of Employment of Broker or Salesperson, Department personnel noted that Norman's real estate salesperson's license had expired as of January 1, 2001. An investigation was opened, and the Department of Regulation and Licensing contacted Coldwell Banker Residential Real Estate regarding Norman's real estate sales activities after his license had expired.

5. In response to the Department's inquiry, a Listing Log and a Sales Log pertaining to Norman's transactions was supplied by Coldwell Banker Residential Real Estate which indicated that he had been involved in at least three real estate transactions for Coldwell Banker Residential Real Estate while unlicensed. True and correct copies of the Listing Log and the Sales Log are attached as **Exhibit 2** and are incorporated herein by reference.

## 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 enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

3. Respondent **Coldwell Banker Residential Real Estate** has violated:

a. Sections RL 17.07 and RL 24.17(3) of the Wisconsin Administrative Code and sections 452.12(3)(a), 452.14(3)(i), and 452.14(3)(L) of the Wisconsin Statutes by failing to check Bradley L. Norman's licensing status and allowing him to continue to act as a real estate agent while he was unlicensed from January 1, 2001, until his termination on June 8, 2001.

## ORDER

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

IT IS FURTHER ORDERED, that Respondent **Coldwell Banker Residential Real Estate**, license # 91-833116, be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **Coldwell Banker Residential Real Estate**, pay **PARTIAL**

**COSTS** in this matter in the amount of a \$300.00, within 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 Respondent **Coldwell Banker Residential Real Estate** fails to pay the \$300.00 partial costs within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **Coldwell Banker Residential Real Estate**, its real estate business entity 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 partial costs have been paid to the Department of Regulation and Licensing and its failure to pay the partial costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 01 REB 152 be, and hereby is, closed.

Dated this 26<sup>th</sup> day of September, 2002.

**WISCONSIN REAL ESTATE BOARD**

By: Richard Kollmansberger

A member of the Board