

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE REVOCATION	:	
OF THE LIMITED REAL ESTATE	:	ORDER REVOKING LIMITED
SALESPERSON LICENSE FOR	:	REAL ESTATE
	:	SALESPERSON LICENSE
TOBY A MINETT	:	LS0210011REB
Applicant	:	

Applicant:

TOBY A MINETT
527 AUTUMN DR #208
DEHAVAN WI 53115

The State of Wisconsin Department of Regulation and Licensing, having considered the record in the above captioned matter, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. On February 28, 2001, the Wisconsin Department of Regulation and Licensing (department) issued an Order Adopting Stipulation granting a limited real estate salesperson license to Toby A. Minett. Among other things, the Order Adopting Stipulation limits the registration of Toby A. Minett by requiring that Toby A. Minett file quarterly reports with the Department providing information concerning his employment, arrest and conviction record and job performance. Paragraph 2. of the Order Adopting Stipulation requires that quarterly reports be filed within 5 days after the following dates: June 1, 2001; September 1, 2001, December 1, 2001 and March 1, 2002 and every June 1, September 1, December 1 and March 1 until further order of the department. A copy of the Order Adopting Stipulation is annexed hereto.
2. The Order Adopting Stipulation (Paragraph 4) also states that Applicant Minett may not transfer to another broker-employer and perform real estate activities under his limited real estate salesperson license without permission, in advance, from the Department of Regulation and Licensing, and unless the new employer agrees, in writing, that the terms of this limitation will be complied with and that the new employer will cooperate with the applicant in the preparation and submittal to the department of the required reports.
3. The Order Adopting Stipulation further provides that the failure of Toby A. Minett to comply with the limitation in the Order Adopting Stipulation shall result in the revocation of his limited real estate salesperson license without further notice or hearing or other proceedings.
4. Marlene Meyer is an employee of the Department whose job title is "Department Monitor" and whose responsibilities include receiving and monitoring reports from credential holders who hold a limited credential and who are required to file reports with the Department.

5. On or about September 5, 2002, Marlene Meyer wrote to Toby A. Minett, stating in part that: "To date, you have failed to have the following filed with the Division of Enforcement in your behalf:

The quarterly reports from you and your broker-employer.

Please submit the requested reports by September 16, 2002. Failure to return the reports will cause this matter to be referred to Division of Enforcement as a possible violation of the Board order.

CONCLUSIONS OF LAW

1. The State of Wisconsin Department of Regulation and Licensing has jurisdiction in this proceeding under Chapter 440, Stats., and the provisions in the Order Adopting Stipulation.
2. The State of Wisconsin Department of Regulation and Licensing has authority to issue the following Order under Chapter 440, Stats., and the provisions in the Order Adopting Stipulation.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Limited Real Estate Salesperson License of Toby A. Minett (license #52755) is REVOKED. Applicant Toby A. Minett shall cease and desist from acting as a real estate salesperson and from engaging in real estate activities in Wisconsin.

It Is Further Ordered That Applicant shall have an opportunity to challenge the accuracy of the information contained in the FINDINGS OF FACT, above by submitting information to the Administrator, Division of Board Services, P.O. Box 8935, Madison WI 53708-8935 within 10 days after the date of signing, below.

It Is Further Ordered That Revocation of the Applicant's conditional private security permit shall become effective on the tenth day after the date of signing, below.

It Is Further Ordered That Applicant shall immediately return the wallet size limited real estate salesperson license and the 3 ½ x 5 ¼ wall certificate to the Department of Regulation and Licensing, Attention: Jan Bobholz, P.O. Box 8935, Madison, WI 53708-8935.

Dated this 1st day of October, 2002.

STATE OF WISCONSIN

DEPARTMENT OF REGULATION AND LICENSING

Cletus J. Hansen, Administrator
Division of Board Services