

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

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’S LICENSE FOR	:	REAL ESTATE
	:	SALESPERSON’S LICENSE
DANIEL E KANE	:	LS0210235RSG
Applicant	:	

-----

**Applicant:**

DANIEL E KANE  
6936 W PLAINFIELD  
GREENFIELD WI 53220

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

- On June 17, 1997, the Wisconsin Department of Regulation and Licensing (department) issued a Final Decision and Order Granting Limited Real Estate Salesperson’s License granting a limited real estate salesperson’s registration to Daniel E. Kane. Among other things, the Final Decision and Order Granting Limited Real Estate Salesperson’s License limits the registration of Daniel E. Kane by requiring that Daniel E. Kane file quarterly reports with the Department providing information concerning his employment, arrest and conviction record and job performance. Paragraph 2. of the Final Decision and Order Granting Limited Real Estate Salesperson’s License requires that quarterly reports be filed within 5 days after the following dates: September 1, 1997, December 1, 1997, March 1, 1998, June 1, 1998 and every September 1, December 1, March 1 and June 1 thereafter until further order of the department. A copy of the Final Decision and Order Granting Limited Real Estate Salesperson’s License is annexed hereto.
- The Final Decision and Order Granting Limited Real Estate Salesperson’s License (Paragraph 4) also states that Applicant Kane may not transfer to another licensed broker-employer and perform activities under his real estate salesperson’s 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.
- The Final Decision and Order Granting Limited Real Estate Salesperson’s License further provides that the failure of Daniel E. Kane to comply with the limitations in the Order shall result in the revocation of his limited real estate salesperson’s license without further notice or hearing or other proceedings.

4. Theodore Nehring is an employee of the Department whose job title was "Department Monitor" and whose responsibilities included 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 December 1, 2000, Theodore Nehring received a statement from Daniel Kane which states in part:

This statement is in regard to my compliance with my limited license. I have not been charged or convicted of any crime.

I have complied with all the requirements and terms of my limited license including all statutes and regulations governing practice of real estate.

6. On or about December 1, 2000, Theodore Nehring received a statement from Kent Shy (CECO Investment Real Estate Inc.) that Daniel Kane's performance as a real estate salesperson has been adequate and that he has followed guidelines and requirements as set forth by the broker-employer.

7. On or about December 5, 2000, Theodore Nehring received a statement from Joseph L. Madia, Jr., U.S. Probation Officer which states in part:

This is an update informing you Mr. Kane has been cooperative and compliant with his supervised release conditions. He has reported to his probation officer as instructed. All urine samples submitted and tested thus far proved negative for the presence of any illegal substances.

However, in September 2000, Mr. Kane tested positive for alcohol. He has been drinking excessively, admittedly struggling over a relationship setback. He is again participating in an aftercare program. Additionally, on November 3, 2000, Mr. Kane pled guilty to and was convicted of a Milwaukee County operating under the influence citation.

8. Daniel E. Kane stopped filing quarterly reports with the department with submission of the December 1, 2000 reports.

#### CONCLUSIONS OF LAW

1. The failure of Daniel E. Kane to file reports as required by the Order and described in the Findings of Fact, above, constitutes a failure to comply with the terms of the limitations in the Final Decision and Order Granting Limited Real Estate Salesperson's License.

2. The failure of Daniel E Kane to report that he had been charged with or convicted of a crime (including Driving While Intoxicated) as required by the Order and described in the Findings of Fact, above, constitutes a failure to comply with the terms of the limitations in the Final Decision and Order Granting Limited Real Estate Salesperson's License.

3. The State of Wisconsin Department of Regulation and Licensing has jurisdiction in this proceeding under Chapter 440, Stats., and the provisions in the Final Decision and Order Granting Limited Real Estate Salesperson's License.

4. 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. Final Decision and Order Granting Limited Real Estate Salesperson's License.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Limited Real Estate Salesperson's License of Daniel E. Kane (license #47343) is REVOKED. Applicant Daniel E. Kane 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 Business Licensure and Regulation, 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 limited real estate salesperson's license 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 wall certificate to the Department of Regulation and Licensing, Attention: Jan Bobholz, P.O. Box 8935, Madison, WI 53708-8935.

Dated this 23rd day of October 2002.

STATE OF WISCONSIN

DEPARTMENT OF REGULATION AND LICENSING

Cletus J. Hansen, Administrator

Division of Board Services