

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
BRYCE STYZA & :
HARMONY REALTY CORP., :
RESPONDENTS : LS0305223REB

Division of Enforcement Case No. 02 REB 020

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

Bryce Styza
Harmony Realty Corp.
PO Box 966
Waukesha, WI 53187

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. **Bryce Styza** ("Styza"), is licensed in the State of Wisconsin as a real estate broker having license # 90-31036. This license was first granted to him on 07/10/62. Styza's most recent address on file with the Department of Regulation and Licensing is PO Box 966, Waukesha, WI 53187.
2. Styza is a chairman of the board for **Harmony Realty Corp.**, located at PO Box 966, Waukesha, WI 53187, License # 91 5168. This license was first granted to it on 12/04/58.
3. On or about July 16, 18, and 19, 2002, an auditor with the Department of Regulation and Licensing, conducted an audit of Harmony Realty's real estate trust account bookkeeping records. The auditor found that broker's funds were commingled with trust account funds, that broker's funds were not deposited to cover bank services charges, that separate ledgers for broker's funds were not maintained, and that monthly account trial balances and validations were not performed. These violations are detailed in form 344. A copy of form 344 is attached as **Exhibit 1** and is hereby incorporated into this document.

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 **Harmony Realty Corp.** has violated:
 - a. Sections RL 18.10 of the Wisconsin Administrative Code by commingling broker's funds with trust account funds and by failing to deposit broker's funds to cover bank services charges within 10 days following receipt of a statement.
 - b. Sections RL 18.13(2), RL 18.13(4), and RL 18.13(5) of the Wisconsin Administrative Code by failing to maintain a required ledger, and failing to do required monthly account trial balances and validations.
4. Respondent **Bryce Styza** has violated:
 - a. Wis. Stats. sec. 452.14(3)(i) by demonstrating incompetency to act as broker in a manner which safeguards the public.

ORDER

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

IT IS FURTHER ORDERED, that **Respondent Harmony Realty Corp.**, license # 91 5168, is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **Bryce Styza**, license #90-31036, be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED, that Respondent **Bryce Styza**, within six months of the date of this Order, successfully complete the following course modules from the 36 hour pre- licensing real estate broker's course at an educational institution approved by the Department of Regulation and Licensing:

- a. The Trust Accounts, Escrow, Closing Statement module-section RL 25.02(2)(c), of the Wisconsin Administration Code.
- b. The Financial and Office Management module-section RL 25.02(2)(e), of the Wisconsin Administration Code.

and submit proof of the same to the Real Estate Board, P.O. Box 8935, Madison, WI 53708-8935, in the form of verification from the institution providing the education. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that are or may be instituted by the Board or the Department of Regulation and Licensing.

IT IS FURTHER ORDERED, that in the event Respondent **Bryce Styza**, fails to successfully complete the educational requirements within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **Bryce Styza**, his real estate license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until further Order of the Board.

IT IS FURTHER ORDERED, that Respondent **Bryce Styza**, pay a FORFEITURE of **\$350.00** 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 89354, Madison, WI 53708-8935. In the event Respondent **Bryce Styza**, fails to pay the forfeiture within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **Bryce Styza**, his real estate license shall continue under suspension without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said forfeiture have been paid to the Department of Regulation and Licensing and his failure to pay the forfeiture shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that Respondent **Bryce Styza**, pay PARTIAL COSTS of this matter in the amount of **\$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. In the event Respondent **Bryce Styza**, fails to pay the 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 **Bryce Styza**, his real estate 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 costs have been paid to the Department of Regulation and Licensing and his failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 02 REB 020 be, and hereby is, closed.

Dated this 22nd day of May, 2003.

WISCONSIN REAL ESTATE BOARD

By: Richard Kollmansberger

A member of the Board