

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
PATRICIA A. LAMMERS & :
ALTERNATIVE REALTY INC., :
RESPONDENTS : LS0401222REB

Division of Enforcement Case No. 03 REB 178

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

Patricia A. Lammers
Alternative Realty Inc.
431 St. Claire Ave.
Sheboygan, WI 53081

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 Wisconsin Real Estate Board (“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. **Patricia A. Lammers** ("Lammers"), date of birth 10/03/47, is licensed in the State of Wisconsin as a real estate broker having license # 90-21569. This license was first granted to her on 02/23/79. Lammers' most recent address on file with the Department of Regulation and Licensing is 431 St. Claire Ave., Sheboygan, WI 53081.
2. Lammers is the broker for Alternative Realty Inc., which holds license # 91- 834712 as a real estate business entity. This license was first granted to it on 04/21/95.
3. On or about June 21, 2002, and July 10, 2003, an auditor with the Department of Regulation and Licensing conducted an audit of Alternative Realty’s real estate trust account and bookkeeping records. During the audit the auditor discovered discrepancies in the real estate trust account as follows:

The ledger was not adequately maintained;
Negative balance in the trust account;
Trial balances were not performed prior to November 2002; and
Validations not performed prior to November 2002.

Form 344 completed by the auditor and signed by Lammers is attached as **Exhibit 1** and is hereby incorporated into this

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 **Patricia A. Lammers** has violated:
 - a. 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 by failing to do the required monthly trial balances and validations; and
 - b. Section RL 24.15 of the Wisconsin Administrative Code by failing to maintain sufficient funds in the trust account.

ORDER

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

IT IS FURTHER ORDERED that Respondent **Patricia A. Lammers**, license #90-21569, be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED that Respondent **Patricia A. Lammers**, 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 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 **Patricia A. Lammers** 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 **Patricia A. Lammers**, her 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 **Patricia A. Lammers** pay a **FORFEITURE of \$350.00** within 30 days of the date of this Order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing, and sent to: **Department Monitor, Division of Enforcement, Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935**.

IT IS FURTHER ORDERED that in the event Respondent **Patricia A. Lammers** fails to pay the \$350.00 forfeiture within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **Patricia A. Lammers**, her 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 forfeiture has been paid to the Department of Regulation and Licensing. Her failure to pay the forfeiture shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED that Respondent **Patricia A. Lammers** pay **COSTS** of this matter in the amount of **\$300.00** within 30 days of the date of this Order. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing, and sent to: **Department Monitor, Division of Enforcement, Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935.**

IT IS FURTHER ORDERED that in the event Respondent **Patricia A. Lammers** fails to pay the \$300.00 in costs within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondent **Patricia A. Lammers**, her 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. Her failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED that Respondent Alternative Realty Inc., license # 91- 834712, is hereby **REPRIMANDED.**

IT IS FURTHER ORDERED, that file 03 REB 178 be, and hereby is, closed.

Dated this 22nd day of January, 2003.

WISCONSIN REAL ESTATE BOARD

By: Richard Kollmansberger
A member of the Board