

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF
REGULATION AND LICENSING

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CHRISTOPHER L. DAVIS AND	:	
DAVIS PROTECTIVE AGENCY,	:	LS0312011RSG
Respondents	:	

Division of Enforcement Case #99 RSG 050

The parties to this action for the purposes of Wis. Stats. § 227.53 are:

Christopher L. Davis
6061 North Forty-first Street
Milwaukee, WI 53209

Davis Protective Agency
6061 North Forty-first Street
Milwaukee, WI 53209

Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The Wisconsin Department of Regulation and Licensing received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Christopher L. Davis personally and doing business as Davis Protective Agency, by his attorney Basil M. Loeb, and by Claudia Berry Miran, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Department of Regulation and Licensing makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Christopher L. Davis was born August 19, 1955. His latest address on file with the Department of Regulation and Licensing is 6061 North Forty-first Street, Milwaukee, WI 53209. He holds a permit as a private security person, #108-7731; that permit was granted on May 14, 1998, and is current through August 31, 2004.
2. Davis Protective Agency, whose address of record with the department is 6061 North Forty-first Street, Milwaukee, WI 53209, holds a license as a private detective agency (#062-15266); the license was first granted on July 1, 1992, and is current through August 31, 2004. Respondent Christopher L. Davis is sole proprietor and owner of Davis Protective Agency.
3. A Final Decision and Order dated August 19, 1998, was issued against Respondent Davis Protective Agency. In the decision, Respondent Davis Protective Agency was found to have violated various laws by operating a private detective agency without a current private detective agency license, by failing to maintain a bond or liability insurance policy as required by statute, and by providing an unlicensed armed security guard to provide security guard services.

4. As a result of the August 19, 1998, Final Decision and Order, Respondent Davis Protective Agency was reprimanded and order to pay costs of \$500 within 30 days of the Order or be immediately suspended without further hearing or Order. The suspension would continue until the full amount of the costs assessed was received by the department.
5. Respondent Davis Protective Agency did not pay the \$500 costs that were assessed within 30 days of the Order. As a result, the private detective agency license of Respondent Davis Protective Agency was suspended, effective September 20, 1998. That suspension continued through December 20, 1999, when it was lifted because the costs were paid.
6. Respondent Christopher L. Davis' private security person's permit, which was granted on May 14, 1998, was due to be renewed on August 31, 1998. However, it was not renewed and it therefore expired on August 31, 1998. Respondent Davis did not renew the permit until January 4, 2000.
7. During the time period from August 31, 1998, through January 4, 2000, respondent Christopher L. Davis performed security guard duties for Roundy's Mega Mart, Inc., when he did not possess a security guard permit, and he performed security guard services for D.B. Enterprises private detective agency, which did not possess a private detective agency license.
8. During various times from May 13, 1998, through February 2003, Respondent Christopher L. Davis hired and employed Earl Mohme to perform private security guard duties at Roundy's Mega Mart, Inc., when Mohme did not have a private security person permit and while Mohme was working for an unlicensed private detective agency, D.B. Enterprises.
9. In October 1999, the department received notification and documentation from Jendusa Special Risk, Inc., indicating that Respondent Christopher L. Davis had acquired general liability insurance policy #CX00001540 for Davis Protective Agency from Genesis Indemnity Insurance Company. The insurance coverage was effective from February 25, 1999, through February 25, 2000.
10. Jendusa Special Risk, Inc., indicated further that the insurance policy was then in effect, that Davis Protective Agency was performing security guard and patrol activities, and that in fact the insurance policy was cancelled at one point for failure to make payment, and was reinstated because Respondent Christopher Davis made payment on the insurance premium on September 15, 1999. The policy requires that Davis Protective Agency hold a current private detective license, which the agency did not have from September 20, 1998, through December 20, 1999.

CONCLUSIONS OF LAW

1. The Department of Regulation and Licensing has jurisdiction in this matter pursuant to Wis. Stats. § 440.26 and Wis. Adm. Code RL 35.01.
2. The Department of Regulation and Licensing has the authority to resolve this proceeding by Stipulation pursuant to § 227.44 (5), Stats.
3. The actions of respondents Christopher L. Davis and Davis Protective Agency as set forth in paragraphs 3 through 10 constitute performing unlicensed practice as a private security person, employing an unlicensed individual to perform private security guard services, and operating a unlicensed private detective agency, all in violation of Wis. Stats. §§ 440.26 (1) (a) and (6) (a) 2. and 4.

ORDER

NOW, THEREFORE, IT IS ORDERED that the stipulation of the parties is approved.

IT IS FURTHER ORDERED that:

1. The private security guard permit issued to Christopher L. Davis is SUSPENDED for a period of forty-five (45) days, beginning on the first day of the month after this order is signed.

2. The private detective agency license issued to Davis Protective Agency is SUSPENDED for a period of forty-five (45) days, beginning on the first day of the month after this order is signed.
3. Respondents shall pay the full costs of these proceedings, with payment to be divided into twelve equal installments. The first installment shall be due on the first day of the month after this order is signed, with subsequent installments due on the first day of each succeeding month thereafter until the costs are fully paid.
4. Respondents are hereby ENJOINED and PROHIBITED as follows:
 - a. Respondent Christopher L. Davis shall not perform or offer to perform services as a private security person without having procured the permit required by § 440.26, Stats.
 - b. Respondents Christopher L. Davis and Davis Protective Agency shall not act or offer to act as a supplier of private security personnel without having procured the license required by §440.26, Stats.
 - c. Respondents Christopher L. Davis and Davis Protective Agency shall not employ any person to provide services as a private security person, or permit any employee to provide services as a private security person, without first obtaining the permit required by 440.26, Stats.
5. **Violation of the order in paragraph 4 above may result in a forfeiture of up to \$10,000 for each offense, and each day of a continued violation constitutes a separate offense.**
6. The Department Monitor is the individual designated by the Board as its agent to coordinate compliance with the terms of this Order, including receipt of all payments. The Department Monitor may be reached as follows:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P. O. Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 267-3817

The rights of a party aggrieved by this Final Decision and Order to petition the Wisconsin Department of Regulation and Licensing for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information."

This Order shall become effective on the date of its signing.

By: Steven Gloe	5-6-04
Department of Regulation and Licensing	Date