

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE APPLICATION	:	
FOR A LICENSE TO PRACTICE	:	
AS A REAL ESTATE BROKER,	:	FINAL DECISION AND ORDER
	:	LS0404051REB
RASHID ALI, A.K.A. KEVIN R. THOMAS	:	
APPLICANT.	:	

DIVISION OF ENFORCEMENT CASE NUMBER 04 REB 034

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

Rashid Ali  
a.k.a Kevin R. Thomas  
2424A North Fratney Street  
Milwaukee, WI 53212

Department of Regulation and Licensing  
Division of Enforcement  
PO Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Department. The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Rashid Ali was born on October 7, 1976. Rashid Ali is also known by the name of Kevin P. Thomas. He applied for a real estate broker license on or about January 20, 2004. The Department denied this application on February 25, 2004.
2. Mr. Ali’s latest address on file with the Department of Regulation and Licensing is 2424A North Fratney Street, Milwaukee, Wisconsin 53212.
3. Mr. Ali made a timely request for hearing on the denial of his application for a license.
4. The application for a real estate broker license requires that the applicant answer question “A” under “**STATEMENT OF ARREST OR CONVICTION**” that states:  
  
A. Have you ever been convicted of a misdemeanor or a felony or driving while intoxicated (DWI), in this or any other state, **OR** are criminal charges or DWI charges currently pending against you? If YES, complete and attach Form #2252.”
5. Mr. Ali’s response to question “A” was to check the box marked “Yes” and he included with his application Form #2252 and information which indicated a felony conviction for Possession with Intent to Deliver – Cocaine (<=5g) and a misdemeanor conviction for Resisting or Obstructing an Officer (Habitual Criminality) in Kenosha County. Mr. Ali/Thomas also provided information that revealed a felony conviction for Manufacturing or Delivering a Non-Narcotic Schedule I and II Drug and a felony conviction for Manufacturing and Delivering on School Property, both in Cook County, Illinois.

6. Information received from Clerks of Court office's in Kenosha County, Wisconsin and Cook County, Illinois indicated that Mr. Ali was convicted of the following:
- a. July 26, 1994 - Felony – Manufacturing or Delivering a Non-Narcotic Schedule I and II Drug  
July 26, 1994 – Felony – Manufacturing and Delivering on School Property  
(Cook County, Illinois Circuit Court Case 94-CF-10970021)
  - b. January 9, 1997 – Felony - Possession with Intent to Deliver  
January 9, 1997 - Misdemeanor – Resisting or Obstructing an Officer (Habitual Criminality)  
(Kenosha County Circuit Court Case 1996CF000778)
7. Documentation on file establishes that Mr. Ali has been convicted of misdemeanor and felony crimes, the circumstances of which substantially relate to the practice of a real estate broker.
8. In resolution of this matter, Rashid Ali, a.k.a Kevin R. Thomas consents to the following Conclusions of Law and Order.

### CONCLUSIONS OF LAW

- 1. The Department of Regulation and Licensing has jurisdiction over this matter, pursuant to Sec. 227.42, Stats.
- 2. The Department of Regulation and Licensing is authorized to enter into the attached stipulation, pursuant to Sec. 227.44(5), Stats.

### **ORDER**

NOW, THEREFORE, IT IS ORDERED that Rashid Ali is granted a limited real estate salesperson's license subject to the following terms and conditions:

- 1. Mr. Ali shall file with the department quarterly reports within 5 days before or after the following days:  
  
August 1, 2004  
November 1, 2004  
February 1, 2005  
May 1, 2005  
and every May 1, August 1, November 1, and February 1 until further order of the department.  
  
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- 2. Each report shall include:
  - a. The name, address and telephone number of applicant and name, address and telephone number of the applicant's broker-employer.
  - b. A statement from Mr. Ali as to whether or not he has been convicted of a crime (including Driving While Intoxicated (DWI) or Operating While Intoxicated - OWI) during the term of the Order **OR** if criminal charges are pending.
  - c. A statement from Mr. Ali confirming his compliance with all the terms of his limited license and with the statutes and rules governing the practice of a real estate salesperson.
  - d. A statement from the broker-employer evaluating Mr. Ali's performance as a real estate salesperson and whether or not he has followed all guidelines and requirements of the broker-employer.

e. A statement from the probation officer, acknowledging that there has been no violation of terms of probation by signing and dating each quarterly report.

3. Mr. Ali shall comply with all terms of probation imposed upon him and make arrangements with his probation officer to immediately notify the department of any violation of probation terms.
4. Mr. Ali shall immediately provide evidence to the department from the Department of Corrections after successfully completing probation.
5. Mr. Ali shall not personally receive, hold or disburse “client funds”, as that term is defined in Ch. 452.13(1)(a), Wis. Stats.

**452.13 Trust accounts. (1) DEFINITIONS.** In this section:

(a) “Client funds” means all down payments, earnest money deposits or other money related to a conveyance of real estate that is received by a broker, salesperson or time-share salesperson on behalf of the broker’s, salesperson’s or time-share salesperson’s principal or any other person. “Client funds” does not include promissory notes.

6. Mr. Ali shall not perform real estate activities under a different broker-employer without permission, in advance, from the Department of Regulation and Licensing, and unless the new broker-employer agrees, in writing, that the terms of this limitation will be complied with and that the new broker-employer will cooperate with the applicant in the preparation and submittal to the department of the required reports.
7. Mr. Ali shall renew his real estate salesperson’s license in a timely manner, notwithstanding any requirements in this Order.
8. The limitations contained in this Order, in whole or in part, may be removed only upon a showing of successful compliance with all of the terms of this Order and in no event earlier than October 25, 2005 and only subsequent to a written request to the department that also includes the reports as required in this Order.
9. Failure by Mr. Ali to timely comply with the terms of this limitation shall result in the revocation of his limited real estate salesperson’s license.
10. Any further criminal conviction (including DWI or OWI) shall result in the revocation of Mr. Ali’s limited real estate salesperson’s license without further notice or hearing or other proceedings.
11. Upon the successful compliance with all of the terms of this Order and removal of all limitations specified in this Order pursuant to paragraph 8 above, Mr. Ali shall not have to re-test for the real estate broker’s examination and shall be issued a real estate broker’s license.
12. Mr. Ali shall immediately notify the department in writing of any changes in employment and personal information as it relates to the limitations of his salespersons license and broker’s license.
13. Any reports or documentation that needs to be received by the Department to show compliance with the terms of this Order shall be addressed to:

Department Monitor  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

14. This Order shall become effective upon the date of its signing.

Dated this 1<sup>st</sup> day of June, 2004

STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING

PATRICIA HOEFT  
ADMINISTRATOR