

# 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 REAL ESTATE BOARD**

---

<b>IN THE MATTER OF THE DISCIPLINARY</b>	<b>:</b>	
<b>PROCEEDINGS AGAINST</b>	<b>:</b>	
	<b>:</b>	<b>FINAL DECISION</b>
<b>LINDA M. HECK</b>	<b>:</b>	<b>AND ORDER</b>
<b>RESPONDENT</b>	<b>:</b>	<b>LS0409233REB</b>

---

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

Linda M. Heck  
707 Old Settlement Drive  
Watertown, WI 53098

Wisconsin Real Estate Board  
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 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. Linda M. Heck ("Respondent"), date of birth 07/07/1954, is licensed in the State of Wisconsin as a real estate broker having license #94-39236. This license was first granted to her on 05/03/1993, and will expire on 12/31/2004. Respondent's most recent address on file with the Department of Regulation and Licensing is 707 Old Settlement Drive, Watertown, WI 53098.
2. At all times relevant to the facts set forth below Respondent was employed as a real estate salesperson.
3. On September 17, 2003, Respondent was convicted of Theft in a Business Setting of an amount in excess of \$2500.00, contrary to § 943.20(1)(b), Wis. Stats. The theft occurred during the course of Respondent's employment in a position that does not require a real estate license.
4. On November 24, 2003, the Department of Regulation and Licensing received information that Respondent had been terminated from her employment as a real estate salesperson, and advising the Department that due to confidentiality issues any further information regarding Respondent must be obtained from the Respondent or her attorney.
5. In response to a Department inquiry on February 24, 2004, Respondent wrote to the Department, in part, that, "I have been taking care of a legal matter which is totally unrelated to Real Estate." Further, Respondent wrote that, "I need to discuss the possibility of resuming my Real Estate License after fully disclosing all the facts concerning my legal (situation)."
6. Per § RL 24.17(1), "licensees may not violate...any law the circumstances of which substantially relate to the practices of real estate broker or salesperson. A licensee who has been convicted of a crime...shall send to the department within 30 days after the judgment of conviction a copy of the complaint or other information which describes the nature of the

crime and the judgment of conviction in order that eh department may determine whether the circumstances of the crime of which the licensee was convicted are substantially related to the practice of a real estate broker or salesperson, pursuant to s. 111.335(1)(c), Stats.”

### 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 **Linda M. Heck** has violated § RL 24.17(1) of the Wisconsin Administrative Code by failing to provide a copy of the judgment of conviction, complaint, or other information from which the Department of Regulation and Licensing could determine whether or not her crime was substantially related to the practice of real estate within 30 days after the judgment.
4. Conviction of the crime of Theft in a Business Setting in excess of \$2,500.00 is substantially related to the practice of a real estate salesperson within the meaning of § 111.335(1)(c), Wis. Stats., because real estate salespersons handle cash and/or have access to banking accounts in the course of their employment.
5. Respondent **Linda M. Heck** has violated § RL 24.17(1) of the Wisconsin Administrative Code by violating a law the circumstances of which substantially relate to the practice of a real estate salesperson.
6. The real estate salesperson license of Respondent **Linda M. Heck** is subject to discipline pursuant to § RL 24.17(2), (3), Wis. Admin. Code.

### ORDER

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

IT IS FURTHER ORDERED, that Respondent **LINDA M. HECK's** license #94-39236, be, and hereby is, **REVOKED**.

Dated this 23<sup>rd</sup> day of September, 2004.

### WISCONSIN REAL ESTATE BOARD

Richard Kollmansberger  
A Member of the Board