

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

STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
: LS0411103APP
LORI ANN GENNERMAN, :
RESPONDENT. :

Division of Enforcement Case No. 04 APP 011

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

Lori Ann Gennerman
S86 W30530 Stonegate Drive
Mukwonago, WI 53149

Real Estate Appraisers 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 decision 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. Lori Ann Gennnerman (Date of Birth: September 3, 1973) possesses a certificate of licensure to practice in the state of Wisconsin as a Licensed Appraiser in the state of Wisconsin (certificate number 4-1255). This certificate was first granted on November 19, 1999, and is current until December 31, 2005.
2. Ms. Gennerman's most recent address known to the Department of Regulation and Licensing is S86 W30530 Stonegate Drive, Mukwonago, WI 53149
3. Each person possessing a certificate to practice as a Licensed Appraiser in the state of Wisconsin must renew those certificates of licensure and certification biennially, by January 1 of each even-numbered year. [Sec 440.08(2)(a)12, Stats.]
4. To be eligible to renew the certificate of licensure for the next biennial registration period, the licensee must have completed at least 28 hours of Department approved continuing education in the previous biennial registration period. [Sec. 458.13, Wis. Stats. and § RL 85.01(1), Wis. Admin. Code]
5. Prior to January 1, 2004, the Wisconsin Department of Regulation and Licensing sent Ms. Gennerman a Real Estate Appraiser Renewal Application to execute and return with the required fee if Ms. Gennerman wished to renew her certificates of licensure in the state of Wisconsin for the January 1, 2004, through December 31, 2005, biennium.
6. Ms. Gennerman sent the required fee in but neglected to sign the Renewal Application. The Department of Regulation and Licensing then sent Ms. Gennerman a Notice of Incomplete Application.

That Notice of Incomplete Application contains the following language, immediately above the line which Ms. Gennerman was to date and sign:

"I HAVE COMPLETED 28 HOURS (INCLUDING AT LEAST 4 HOURS OF PROFESSIONAL STANDARDS AND CODE OF ETHICS) OF DEPARTMENT-APPROVED CONTINUING EDUCATION BETWEEN JANUARY 1, 2000 AND DECEMBER 31, 2001. I HAVE EVIDENCE OF THIS WHICH I WILL FURNISH TO THE DEPARTMENT UPON REQUEST."

That Notice of Incomplete Application contains the following language immediately below the line which Ms. Gennerman was to date and sign:

"MAKING A FALSE STATEMENT IN CONNECTION WITH ANY APPLICATION FOR LICENSE IS GROUNDS FOR REVOCATION OR DENIAL OF THAT LICENSE."

7. Ms. Gennerman signed and returned the Notice of Incomplete Application certifying that she had completed the continuing education requirements of the Real Estate Appraisers Board during the January 1, 2002, through December 31, 2003, biennium. A copy of the Notice of Incomplete Application, dated December 31, 2003, is attached as Exhibit A and is incorporated herein by reference.

8. On February 9, 2004, as part of a random audit which the Real Estate Appraisers Board conducted of its licensees, Ms. Gennerman was sent a letter requesting that she send the Board verification that she had completed the 28 hours of approved continuing education, which she had claimed to have completed prior to renewing her license for the January 1, 2004, through December 31, 2005, biennium.

9. Ms. Gennerman submitted documentation that she had completed 21 hours of approved continuing education hours during the January 1, 2002, through December 31, 2003, biennium. She later completed 7 additional hours of approved continuing education hours shortly after December 31, 2003. Those 7 additional hours were applied to the January 1, 2002, through December 31, 2003, biennium.

10. Ms. Gennerman did not complete the required 28 hours of approved continuing education during the January 1, 2002, through December 31, 2003, biennium, prior to renewing her license for the January 1, 2004, through December 31, 2005, biennium.

11. Ms. Gennerman made a material misstatement on her December 21, 2003, Notice of Incomplete Application when she attested that she had completed 28 hours of approved continuing education during the January 1, 2002, through December 31, 2003, biennium.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction over this matter, pursuant to Sec. 458.26, Stats., and Wis. Admin. Code Ch. RL 85.

2. The Wisconsin Real Estate Appraisers Board is authorized to enter into the attached stipulation, pursuant to Sec. 227.44(5), Stats.

3. By not completing the required 28 continuing education credits during the required time frame Lori Ann Gennerman has violated:

- a. Sec. 458.13, Stats. Continuing Education Requirements.
- b. Sec. 458.26(3)(a), Stats. Made a material misstatement in an application for the certificate or renewal of the certificate or in any other information furnished to the Board or Department.

- c. Sec. 458.26(3)(b), Stats. Engaged in unprofessional conduct in violation of rules promulgated under Sec. 458.24, Stats.
- d. Sec. 458.26(3)(i), Stats. Violated this chapter or any rule promulgated under this chapter.
- e. Wis. Admin. Code Sec. RL 85.01. Continuing Education Requirements.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Lori Ann Gennerman (certificate #4-1255) is hereby **REPRIMANDED**.
2. **IT IS FURTHER ORDERED** that Ms. Gennerman shall pay a forfeiture in the amount of **five hundred dollars (\$500.00)**; and the **amount of two hundred dollars (\$200.00)** partial **assessment of costs** of this proceeding, all to be paid within **one hundred twenty (120) days** of the effective date of the Board's Order adopting the Stipulated Agreement (The effective date of the board's Order is the date of signing by the Board's chair or his designee).
3. The assessed forfeiture and partial assessment of costs shall be payable by cashier's check or money order made payable to the Department Monitor (Place case number on the check or money order and the words "Forfeiture" and/or "Costs").

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, WI 53708-8935
4. If Lori Ann Gennerman shall fail to pay the forfeiture and partial assessment of costs, or fails to obtain a written extension from the Board to complete same, then Lori Ann Gennerman shall be considered to be in violation of the Board's Order and may be subjected to further discipline.
 - a. The Department of Regulation and Licensing, pursuant to Sec. 458.26(5), Stats., reserves the right to appeal the Board's Final Decision and Order.

REAL ESTATE APPRAISERS BOARD

La Marr Franklin
On Behalf of the Board

11-10-04
Date