

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

EXECUTIVE PRIVILEGES &
EDWARD C. LUJAN,
RESPONDENTS.

:
:
: FINAL DECISION AND ORDER
: LS0411245RAL
:
:

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

Executive Privileges
Edward C. Lujan
2606 Pheasant Ridge Trail Suite 6
Madison, WI 53713

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

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 disposition of this matter subject to the approval of the Secretary of the Department of Regulation and Licensing. The Secretary has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department of Regulation and Licensing adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **Edward C. Lujan**, ("Respondent"), date of birth 12/14/48, is licensed in the State of Wisconsin as Private Security Person having license #108-12775. This license was first granted to him on 12/02/99 and expired on August 31, 2004. Respondent's most recent address is 2606 Pheasant Ridge Trail Suite 6, Madison, WI 53713.

2. **Executive Privileges** is licensed in the State of Wisconsin as a Private Security Agency having license # 62-1. This license was first granted to it on 12/02/99 and expired on August 31, 2004. Executive Privileges' most recent address is 2606 Pheasant Ridge Trail, Suite 6, Madison, WI 53713.

3. On or about June 18, 2003, Executive Privileges was notified by the Department of Regulation and Licensing that its agency license would be placed on "Hold" status until proof of liability insurance was provided. To date, no proof of liability insurance has been provided.

4. On dates unknown, employees of Executive Privileges were hired to perform security guard services at UW Madison campus fraternity parties. The Inter-Fraternity council bylaws governing societies on campus state that societies having a party with more than 200 persons and serving alcohol must have a paid professional security company to provide security.

5. Respondent alleges that the company employees that worked the fraternity parties were acting as event staff and were not hired to provide security and therefore did not need to be licensed as security guards.

6. While performing security guard services at the UW Madison campus fraternity parties, the Executive Privileges' employees were not licensed in the State of Wisconsin as security guards, nor were they wearing uniforms.

7. Respondent did not enter into any written contracts with the fraternities before providing security guard services.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. The conduct described above in paragraphs # 5 and 6, above, constitutes a violation of:

a. Wisconsin Administrative Code § RL 35.01(13), and Wis. Stat. § 440.26(1)(3), by assigning persons to perform private security duties who were not licensed.

b. Wisconsin Administrative Codes §§ RL 33.02, and RL 33.03 by failing to ensure that private security personnel wore uniforms and had identification name tags.

c. Wisconsin Administrative Code § RL 33.06 by failing to have written contracts with clients.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Edward C. Lujan**, license #108-12775 be, and hereby is, **REPRIMANDED**.

2. **Executive Privileges**, license # 62-16023 be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

3. Respondents' right to renew expired license # 108-12775, and # 62-16023 be and hereby is suspended indefinitely until:

a. Respondent Executive Privileges submits evidence of insurance to the Department.

b. Respondents, jointly and severally shall pay partial costs of this proceeding in the amount of \$600.00.

c. Respondents file complete renewal applications with the Department.

Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

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

4. When Respondents complete the requirements in paragraph 2 above and the Private Security Agency license # 16023, and the Private Security Person license #108-12775, are restored to active status, Respondent Executive Privileges shall submit to the Department quarterly reports beginning 3 months after the date of reinstatement and the quarterly reports shall continue for one year. The reports shall include:

Copies of written contracts between Respondent and clients;

A list of all clients to whom the Respondent provided security guard services in the previous three months;

A valid phone number for each client listed in the report;

A list of all Executive Privileges' employees who provided security guard services in those previous months. The list shall specify the specific client for whom each employee provided services.

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses. The Department in its discretion may in the alternative impose

additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

6, In the event Respondents fail to timely submit any payment of costs as ordered or fail to comply with the order quarterly reports the Respondent's licenses (#62-16023) and (#108-12775) SHALL BE OR REMAIN SUSPENDED, with further notice or hearing, until Respondents have complied with the terms of this Order.

7. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

Sandy Rowe
Secretary or Designee
Department of Regulation and Licensing

11-24-2004
Date