

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JOHN V. WANTZ,	:	LS0412031RHI
RESPONDENT.	:	

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

John V. Wantz
205 South Elmridge Avenue
Brookfield, WI 53005

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 Secretary of the Department of Regulation and Licensing. The Secretary has reviewed this Stipulation and considers it acceptable.

Accordingly, the attached Stipulation and the following findings are hereby adopted:

FINDINGS OF FACT

1. John V. Wantz (D.O.B. 9/30/54)(hereinafter referred to as “Wantz”) is duly licensed to practice as a Home Inspector in the state of Wisconsin (license #106-176). This license was first granted on October 13, 1998.
2. At all times relevant to this proceeding, Wantz was doing business as Church Home Inspection Services, Inc. The latest address in the Department of Regulation and Licensing (hereinafter “Department”) records for Wantz’s home inspection company is 205 South Elmridge Avenue, Brookfield, WI 53005.
3. The Department received four complaints against Wantz (02 RHI 015, 02 RHI 016, 02 RHI 017 and 03 RHI 005) alleging that his one-page home inspection reports were inadequate, incomplete, or may not satisfy state regulations. The complainants were not consumers, but two community lenders and two real estate brokers who received and reviewed copies of home inspection reports prepared by Wantz.
4. Upon further investigation, the Department determined that Wantz offered various types of home inspection reports, including a low-cost report which he referred to as a “short form report.” The “short form” report typically consisted of a one to two page handwritten narrative, often containing abbreviations and incomplete sentences. A true and correct copy of one of Wantz’s “short form” report is attached and incorporated herein as **State’s Exhibit 1**.
5. Wantz informed the Department that his “short form” home inspection report was intended to be a cost effective alternative for first-time home buyers who could not afford a more costly report.
6. The “short form” report format used by Respondent Wantz does not list all of the items required to be inspected, pursuant to Chapter RL 134.03, and does not satisfy all of the requirements set forth in RL 134.04 regarding the contents of a home inspection report.

MITIGATING CONDUCT

1. In an effort to resolve the complaints (02 RHI 015, 02 RHI 016, 02 RHI 017, 03 RHI 005), the Respondent Wantz voluntarily agreed to revise his home inspection “short form” to fulfill the statutory requirements for a competent home inspection report, as described in Chapter RL 134.03 and RL 134.04, Wis. Admin. Code. The respondent has further agreed to prepare his written reports in compliance with the rules.

2. In resolution of this matter, the Respondent Wantz voluntarily consents to the entry of the following Conclusions of Law and Order; to the imposition of discipline against his license, and to the assessment of costs in this matter.

CONCLUSIONS OF LAW

1. The Department of Regulation and Licensing has jurisdiction over this matter, pursuant to sec. 440.26, Wis. Stats., and is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Wis. Stats.

2. The Department may reprimand a home inspector or deny, limit, suspend or revoke a certificate if the department finds that the home inspector has violated this subchapter or any rule promulgated under this subchapter, pursuant to sec. 440.978(2)(m), Wis. Stats.

3. Respondent John V. Wantz has violated Chapter RL 134.03 Wis. Admin. Code, which provides that a reasonably competent and diligent home inspection shall meet the standards in subs. (1) to (11) and shall include an inspection of, and report on, all of the enumerated items that are present on the property.

4. Respondent John V. Wantz has violated Chapter RL 134.04, Wis. Admin. Code, that requires that completing a home inspection, a home inspector shall submit a written report to a client that lists the items described in s. RL 134.03; describes the condition of any item in s. RL 134.03, and describes the condition of any item that if, not repaired, will have a significant adverse effect on the life expectancy of the identified item.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent, John V. Wantz, a licensed Home Inspector, (#105-176) is **REPRIMANDED**.

IT IS FURTHER ORDERED that Respondent shall prepare and use written inspection report forms which satisfy the requirements set forth in Chapter RL 134.03 and 134.04, Wis. Admin. Code.

IT IS FURTHER ORDERED that within twelve (12) months from the effective date of this Order, Wantz shall pay the costs of the investigation and prosecution of this matter in the amount of three thousand dollars (\$3,000.00). The Respondent shall have the option of making equal monthly installment payments. Payment of the costs shall be made via *certified check or money order* payable to the Wisconsin Department of Regulation and Licensing, Attn: Department Monitor, PO Box 8935, Madison, WI 53708.

IT IS FURTHER ORDERED that in the event that the Respondent fails to timely comply with the terms and conditions set forth in the paragraphs above, his Home Inspector license (#106-176) shall be **SUMMARILY SUSPENDED**, without further notice or hearing, until such time as he has complied with the terms of this Order.

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

The case files **02 RHI 015, 02 RHI 016, 02 RHI 017, 03 RHI 005** shall, and hereby are closed.

DEPARTMENT OF REGULATION AND LICENSING

Sandy Rowe
Secretary or Designee

12-3-2004
Date