

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
 : FINAL DECISION AND ORDER
WILLIAM NEISS, : LS05022410REB
RESPONDENT. :

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

William Neiss
P.O. Box 636
Milwaukee, WI 53012

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Real Estate Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Real Estate Board. The Board has reviewed the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. William Neiss (Respondent?), (DOB 07/11/1934) was duly licensed as a Real Estate Broker in the state of Wisconsin (90-49932). This license was first granted on 07/28/1999. This license expired on 12/31/2004.
2. Respondent's most recent address on file with the Wisconsin Real Estate Board is P.O. Box 636, Cedarburg, WI, 53012.
3. Respondent discontinued practicing as a Real Estate Broker in the State of Wisconsin for personal reasons in 2002. To that effect, Respondent informed the Department that he had closed his real estate trust account on or about October 23, 2002. Thereafter, the Department opened Division of Enforcement investigation No. 02 REB 208. Respondent further has stated that he is not interested in practicing as a Real Estate Broker in the State of Wisconsin for personal reasons in the future.
4. Respondent represents that he has not and/or will not renew his license as a Real Estate Broker upon its expiration on December 31, 2004.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in these matters pursuant to § 458.26, Stats.

2. The Wisconsin Real Estate Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. WILLIAM NEISS shall not apply for a license to practice as a real estate broker in the State of Wisconsin and shall not renew or attempt to renew his real estate broker license in the State of Wisconsin at any time in the future.
2. Respondent shall return any indicia of licensure for his real estate broker's license previously issued by the Board to the Department Monitor.
3. All surrenders of licensure required by this Order shall be mailed, faxed or delivered to:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
1400 East Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

4. 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 Respondent's license. The Board 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. In the event Respondent fails to timely submit any payment of the forfeiture as set forth above, or fails to timely submit proof of completion of education as set forth above, the Respondent's license (90-49932) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order, and with the suspension called for in this Order not to begin until the other terms of the Order have been complied with.

5. This Order is effective on the date of signing.

By: Richard Kollmansberger
A Member of the Board

2-24-05
Date