

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**
RICHARD F. SALEWSKE, :
RESPONDENT. : **LS05022412REB**

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

Richard F. Salewske
d/b/a Coldwell Banker Lakeland Realty
PO Box 40
Tomahawk, WI 54487

Wisconsin Real Estate Board
P.O. Box 8935
Madison, WI 53708

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. **Richard F. Salewske**, date of birth 09/10/49, is a licensed real estate broker in the State of Wisconsin, license # 90-43038, which was first granted on 08/11/87. Mr. Salewske's most recent address on file with the Department of Regulation and Licensing is PO Box 40, Tomahawk, WI 54487. Mr. Salewske is d/b/a Coldwell Banker Lakeland Realty (CBLR) in Tomahawk WI.
2. Chris Duckett worked as an employee of CBLR until May 2001. After that time Ms. Duckett began working for Century 21 Best Way Realty Tomahawk LLC. (C21).
3. Sometime after Ms. Duckett left CBLR, a client of Mr. Salewske told him that while he was searching on his computer for a website for Lake Land Realty he found the website "Tomahawk-Coldwell Banker, Lake Land Realty", but when the client clicked on the website it brought up Century 21, Chris Duckett.
4. CBLR did not have a website at this time, so the client could not have accessed information about CBLR via his search.
5. Ms. Duckett had the words "Lake", "Land", "Tomahawk", and "Realty" in her website.
6. Mr. Salewske attempted to contact Ms. Duckett regarding this matter but was unsuccessful.
7. In September of 2002, Mr. Salewske was contacted by a second client stating that he experienced the same

website problem as stated in paragraph 3 above.

8. On or about October 31, 2002, Mr. Salewske fabricated a letter on Coldwell Banker letter head and addressed it to himself. Mr. Salewski signed the letter as Robert M. Becker. Mr. Becker was the CEO of Coldwell Banker, but had not served in that capacity for several years. The letter reads as follows:

“After reviewing several websites, it has come to our attention that there is a Chris Duckett from Century 21 on a website that comes up as Coldwell Banker Lake Land Realty. We feel that this is interfering with your business and also our business and should be rectified immediately.

If this is not taken care of immediately, we will have to take legal action. Please call our office for any further information. If for some reason this is not corrected please call us immediately. If we don’t hear from you we will begin legal action.”

9. On or about November 1, 2002, Mr. Salewske drafted a letter to be sent along with the October 31, 2002, letter he fabricated. The letter was addressed to Andrea Krueger, Ms. Duckett’s broker at C21, which read as follows;

“ This is the matter I talked to Chris Duckett about over a year ago. She has never done anything about it and now it has come to the attention of our Corporate offices.

After reading this letter, I have phoned the Corporate Office and they told me that if it is recitified they will [sic; should read “will not’] take legal action”.

10. After receiving this letter from Mr. Salewske, Ms. Duckett checked into the matter by calling the Coldwell Banker headquarters. Ms. Duckett was told by the current CEO that the letter showing Robert M. Becker’s signature could not have been signed by him.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. The conduct described above in paragraphs 8-9, above, constitutes a violation of:

a. Wisconsin Administrative Code § RL 24.03(2)(b), licensees shall act to protect the public against fraud, misrepresentation and unethical practices.

b. Wis. Stat. 452.14 (3) (k), been guilty of any other conduct, whether of the same or a different character from that specified herein, which constitutes improper, fraudulent or dishonest dealing.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Richard F. Salewske**, license #90-43038 be, and hereby is, **SUSPENDED** for a period of thirty (30) days commencing 5 days from the date of this Order.

IT IS FURTHER ORDERED that:

2. Respondent shall, within 60 days of the date of this Order, pay a forfeiture in the amount of \$1,000.00.

3. Respondent shall, within 60 days of the date of this Order, pay costs of this proceeding in the amount of \$500.00. 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. 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 as ordered or fails to cease practicing as a real estate broker during the time his license was suspended, the Respondent's license SHALL REMAIN/BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

WISCONSIN REAL ESTATE BOARD

By: Richard Kollmansberger
A Member of the Board

2-24-05
Date