

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE APPLICATION FOR :
A HOME INSPECTOR LICENSE FOR :
 : FINAL DECISION AND ORDER
ROBERT E PIEPENHAGEN : LS 0508161RHI
APPLICANT. :

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

Robert E Piepenhagen
3191 Losey Blvd S #112
LaCrosse WI 54601

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

FINDINGS OF FACT

1. Robert E. Piepenhagen (Applicant) has filed an application for a credential to practice as a home inspector in the State of Wisconsin.
2. Information received in the application process reflects that on or about December 27, 1985 Applicant was convicted of vic of Wis. Stat. § 940.225(3m) [sexual assault.]

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction over this matter pursuant to Wis. Stat. § 440.97.
2. The facts and circumstances of the conviction referenced above substantially relate to the practice of a home inspector. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. § 440.978.

ORDER

NOW, THEREFORE, IT IS ORDERED that Robert E. Piepenhagen is GRANTED a HOME INSPECTOR LICENSE, subject to the following LIMITATIONS, TERMS AND CONDITIONS:

CONDITION AND LIMITATIONS

Treatment Required

1. Within 60 days of the date of this Order, Applicant shall obtain a mental health evaluation from a treatment provider acceptable to the Department indicating Applicant may safely practice as a home inspector.
2. Applicant shall provide the treatment provider with a copy of this Order. In addition, he shall make arrangements with the Department to forward a copy of the contents of his application file to the treatment provider.
3. Applicant shall submit a copy of the evaluation to the Department Monitor.
4. Applicant shall comply with all treatment and work restriction recommendations contained in the mental health evaluation report.
5. If treatment is recommended, Applicant’s treatment provider shall submit formal written reports to Department Monitor on a quarterly basis on a schedule as directed by Department Monitor until the treatment program has been completed.

These reports shall assess Applicant's progress in the treatment program. The treatment provider shall report immediately to Department Monitor any violation or suspected violation of this Order.

Releases

- .6. Applicant shall provide and keep on file with the treatment provider, current releases complying with state and federal laws. The releases shall allow the Department, its designee, and any employee of the Department of Regulation and Licensing, Division of Enforcement to: (a) obtain patient health care and treatment records and reports, and (b) discuss the progress of Applicant's treatment and rehabilitation. Copies of these releases shall immediately be filed with Department Monitor.

Practice Limitations

7. Prior to commencing practice as a home inspector, Applicant shall submit an acceptable plan of supervision to the Department Monitor. The plan of supervision shall include the name(s) of a responsible adult available to accompany applicant at all times when conducting inspections in residences or other locations where minors may be present.
8. Applicant shall arrange for the submission of written reports to the Department Monitor on a quarterly basis, as directed by Department Monitor, relative to his supervision plan. These reports shall be in a format approved by the Department Monitor and include the signature(s) of the supervisors referred to in ¶7, above.
9. Applicant shall report to the Department any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

MISCELLANEOUS

Department Monitor

10. Any requests, petitions, reports and other information required by this Order shall be mailed, e-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
Department.monitor@drl.state.wi.us

Applicant's responsibilities

11. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant as well as any failures of the treatment provider or supervising adults to conform to the terms and conditions of this Order.

Petitions for Modification

12. Applicant may petition the Department for modification of the terms of this Order at any time following two years from the effective date of this Order. Any such petition shall be accompanied by a written recommendation from Applicant's treatment provider expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of §227.01(3)(a), Stats., and Applicant shall not have a right to any further hearings or proceedings on the denial.

Costs of Compliance

13. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order.

Summary Suspension

14. In the event that Applicant fails to timely submit a mental health evaluation in accordance with the terms of this Order, his license SHALL BE SUSPENDED, without further notice or hearing, until Applicant has complied with the requirements as set forth in this Order. A violation of any other term of this Order may be the basis for a summary suspension under Wis. Admin. Code RL Ch. 6 or separate disciplinary action under Wis. Stat. §440.26(6).

Dated at Madison, Wisconsin this 16th day of August, 2005.

Steven M. Gloe
On behalf of the Department of
Regulation and Licensing