

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
	:	
DOUGLAS K. STANICH and	:	LS0510042REB
RE/MAX KENOSHA	:	
RESPONDENTS.	:	

Division of Enforcement Case No. 03 REB 278

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

Douglas K. Stanich
7520 39th Avenue
Kenosha, WI 53142

RE/MAX Kenosha
7520 39th Avenue
Kenosha, WI 53142

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

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

The parties in these matters agree to the terms and conditions of the attached Stipulation as the final decision of the matter(s), subject to the approval of the Real Estate Board (“Board”). The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Douglas K. Stanich ("Stanich"), date of birth 06/27/1942, is licensed in the State of Wisconsin as a real estate broker having license # 90-5102. Stanich's license expires on 12-31-2006. This license was first granted to him on 08/07/1974. Stanich's most recent address on file with the Department of Regulation and Licensing is, 7520 39th Avenue, Kenosha, WI 53142.

2. At all times relevant to the facts set forth below Stanich was the real estate Broker /Owner of RE/MAX Kenosha, Inc., licensed as a Real Estate Business entity having license # 91-834132 first granted on 06/18/1991. The license expires on 12-31-2006. RE/MAX Kenosha's ("Re/Max") most recent address on file with the Department of Regulation and Licensing is, 7520 39th Avenue, Kenosha, WI 53142.

3. Julie N. Nue ("Nue") was issued a real estate salespersons license on February 14, 2000 (#9-51278). Nue's license expired on December 31, 2002.

4. At all times relevant hereto Nue was an employee of Re/Max.

5. On or about December 4, 2003, the Department of Regulation and Licensing received a letter from Re/Max informing the Department that Nue had resigned or was terminated effective December 1, 2003.

6. Re/Max was contacted by the Department regarding Nue's real estate sales activities after her license had expired. In response to the Department's inquiry, a list of transactions that Nue was involved in was supplied by Re/Max. This report indicated that Nue had been involved in six real estate transactions while unlicensed.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14.

2. The Wisconsin Real Estate Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

3. Respondents **Douglas K. Stanich** and **RE/MAX Kenosha** have violated: Wis. Admin. Code §§ RL 17.07, and RL 24.17(3), and Wis. Stat. § 452.12(3)(a) of the Wisconsin Statutes by failing to check Ms. Julie N. Nue's licensing status and allowing her to continue to act as a real estate agent from January 1, 2003 until December 1, 2003.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. Respondents **DOUGLAS K. STANICH**, license # 90-5102, and RE/MAX Kenosha, license # 91-834132, be, and hereby are, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondents shall, within thirty (30) days from the date of this Order, pay costs of this proceeding in the amount three hundred seventy-five (\$375.00) dollars. 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

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and well-being 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 that the Respondent fails to timely submit any payment of the partial cost as set forth above, or fails to comply with the ordered continuing education the Respondent's license (4-1124) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

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

REAL ESTATE BOARD

By: Richard Kollmansberger
A Member of the Board

October 4, 2005
Date