

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD**

**IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :**

JOSEPH P. HASELWANDER :

RESPONDENT. :

LS0510194APP

FINAL DECISION AND ORDER

Division of Enforcement Case No. 04 APP 045

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

Joseph P. Haselwander
1784 U.S. Hwy. 53
Eau Claire, WI 54729

Real Estate Appraisers 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 Appraisers 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. Respondent Joseph P. Haselwander (Respondent), whose last known address of record with the Department of Regulation and Licensing (Department) is 1784 U.S. Hwy. 53, Eau Claire, Wisconsin, 54729, and whose date of birth is March 17, 1966, is a licensed and certified residential appraiser (#9-510). He was first granted the license and certificate on November 19, 1992, pursuant to Wis. Stat. ch. 458, and has held them at all times material to the complaint. The license and certification will expire on December 31, 2005.

2. On or about December 10, 2002, Respondent, doing business as Situs Unlimited, performed an appraisal of a commercial property located at 1511 Devney Drive, Altoona, WI 54726. Respondent concluded that the property had an estimated market value on that date in excess of \$1,000,000.

3. The transaction was financed by Acuity Bank of Tomah Wisconsin. Acuity Bank confirms that the value of the transaction was well in excess of \$250,000.

4. Per Wis. Admin. Code § RL 81.05(2), "A certified residential appraiser may conduct appraisals of... commercial real estate having a transaction value of not more than \$250,000."

5. Per Wis. Admin. Code § RL 86.01(1), "Certified and licensed appraisers shall comply with the standards of practice established by... chs. RL 80 to 86..."

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 458.26.

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

3. Respondent, by his conduct as set forth in paragraphs 2-3, violated Wis. Admin. Code § RL 81.05(2), thereby

subjecting himself to discipline per Wis. Admin. Code § RL 86.01(1) and Wis. Stat. § 458.26(3)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license and certification of Respondent JOSEPH P. HASELWANDER (#9-510), be, and hereby is SUSPENDED for a period of sixty (60) days, said suspension to begin thirty (30) days after the date of signing of this Order.

IT IS FURTHER ORDERED that:

2. Within thirty (30) days of the date of signing of this order, Respondent shall pay the costs of the Department of Regulation and Licensing in this matter in the amount of \$375.00.

3. The payment required by this order to be submitted to the Department Monitor shall be mailed, faxed or delivered

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 well-being and may result in a summary suspension of Respondent's license and certification. 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 and certification (9-958) SHALL 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.

REAL ESTATE APPRAISERS BOARD

By: Mark P. Kowbel
A Member of the Board

10/19/2005
Date