

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE	:	
LICENSE OF	:	
	:	ORDER DENYING PETITION
TOBY A. MINETT,	:	FOR UNRESTRICTED LICENSURE
PETITIONER.	:	LS0511231REB
	:	

Toby A. Minett  
509 North Freemont Street  
Whitewater, WI 53190

Procedural History

The Petitioner in this action was initially granted a limited license to practice as a real estate salesperson (#94-52755) by stipulated Order dated February 28, 2001.

On or about October 1, 2002, the limited license was revoked, based upon Petitioner’s failure to provide required quarterly reports from Petitioner and his broker-employer.

Petitioner’s limited license was reinstated effective December 20, 2002. The Order reinstating Petitioner’s license provided in pertinent part that Petitioner provide quarterly reports to the Department providing the name of his broker-employer.

The Department Monitor indicates that Petitioner has maintained compliance with the terms of the Department’s 2002 Order. However, Petitioner has to date refrained from real estate practice in Wisconsin and has not yet submitted any work reports from a real estate broker. The Department has no information to evaluate the Petitioner’s performance as a licensed real estate salesperson.

Petitioner’s request for full and unrestricted licensure is therefore at this point premature. The Department will need at least some work reports evaluating Petitioner’s performance as a real estate salesperson prior to granting his petition for an unrestricted license.

Based upon the information of record to date, the petition of Toby A. Minett for full and unrestricted licensure to practice as a real estate salesperson is DENIED, and the Department orders as follows:

# ORDER

## Practice Limitations

1. Petitioner may practice as a real estate salesperson only under the supervision of a licensed real estate broker.

## Required Reporting

2. Petitioner shall report to the Department any change of address of employment status, residence address or telephone number within five (5) days of the date of a change.
3. Petitioner shall arrange for his supervising broker to submit quarterly supervision reports to the Board which describe the Respondent's sales activities and verify that he is in compliance with the laws governing the practice of real estate and the terms of this Order.
4. Petitioner is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Petitioner shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order by Petitioner. Petitioner is reminded that, pursuant to Wis. Admin. Code § RL 4.09, all credential holders licensed by the Department need to report a conviction within 48 hours after entry of a judgment against them.

## Department Monitor

5. The Department Monitor is the individual designated by the Department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

Department Monitor  
Division of Enforcement  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264 Telephone (608) 261-7904  
Email: department.monitor@drl.state.wi.us

## Petitions for Modification

6. Petitioner may petition the Department for a return to full and unlimited licensure as a real estate salesperson at any time following completion of at least two consecutive quarters of practice as a real estate salesperson under the terms of this Order.

Summary Suspension

7. A violation of any term of this Order may be the basis for a summary suspension of licensure pursuant to Wis. Admin Code ch. RL 6 or separate disciplinary action under Wis. Stat. § 452.14.

Dated at Madison, Wisconsin this 23rd day of November, 2005.

Celia M. Jackson

On behalf of the Department of Regulation and Licensing