

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

| | | |
|----------------------------------|---|-----------------|
| IN THE MATTER OF APPLICATION FOR | : | |
| REAL ESTATE SALESPERSON'S | : | |
| LICENSE FOR | : | ORDER GRANTING |
| | : | LIMITED LICENSE |
| MICHAEL J HIRSCHFIELD | : | LS 0506281REB |
| APPLICANT. | : | |

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

Michael J Hirschfield
W5544 Holly Street
Appleton, WI 54915

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

FINDINGS OF FACT

1. Michael J. Hirschfield (Applicant) has filed an application for a credential to practice as a real estate salesperson in Wisconsin.
2. Information received in the application process reflects that on or about May 25, 2005, Applicant entered a deferred judgment agreement, in which he entered a no contest plea to charges of violation of Wis. Stat. § 943.20(1)(b) [misdemeanor-theft by virtue of employment].

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction over this matter pursuant to Wis. Stat. § 452.05(1)(a).
2. The facts and circumstances of the charges referenced above substantially relate to the practice of a real estate salesperson, and Applicant by that conduct may be subject to disciplinary action against his license pursuant to Wis. Stat. § 452.14(3).

ORDER

NOW, THEREFORE, IT IS ORDERED that Michael J. Hirschfield is GRANTED a REAL ESTATE SALESPERSON'S LICENSE subject to the following LIMITATIONS, TERMS AND CONDITIONS.

Compliance with Court Order

1. Applicant shall comply with all terms of the Deferred Judgement Agreement imposed upon him. Applicant shall provide the Manitowoc County District Attorney with a copy of this Final Decision and Order immediately.

Practice Limitations

2. Applicant shall practice only under the general supervision of a Wisconsin licensed real estate broker approved by the Department or Department Monitor and only in a work setting approved by the Department or Department Monitor. Applicant shall obtain all approvals required by this paragraph prior commencing practice as a real estate salesperson.
3. Applicant shall provide a copy of this Final Decision and Order immediately to supervisory personnel at all settings where Applicant works or applies to work as a real estate salesperson.
4. Applicant shall not personally receive, hold or disburse “client funds”, as that term is defined in Wis. Stat. §452.13(1)(a) [\[1\]](#).

Required Reporting

6. It is Applicant’s responsibility to arrange for written reports from his supervising broker to be provided to Department Monitor on a quarterly basis, as directed by Department Monitor. The form and content of these reports shall be determined by the Department Monitor.
7. It is Applicant’s responsibility to arrange for written report(s) from the District Attorney’s office to be provided to Department Monitor on a basis as directed by Department Monitor. These report(s) shall indicate Applicant’s compliance with the terms of his Deferred Judgment Agreement.
8. 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.
9. 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.

Department Monitor

10. 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 delivered to the Monitor at the following address: 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 Tel.: (608) 267-3817, Email: department.monitor@drl.state.wi.us

Petitions for Modification

11. Applicant may petition the Department for modification of the terms of this Order at any time following one year from the effective date of this Order.
12. Applicant shall be responsible for all costs and expenses incurred in conjunction with compliance with the terms of this Order.

Summary Suspension / Additional Discipline

13. A violation of any term of this Order may be the basis for a summary suspension or separate disciplinary action under Wis. Stat. § 452.14.

Dated at Madison, Wisconsin this 28th day of June, 2005.

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

[\[1\]](#) **452.13 Trust accounts. (1) DEFINITIONS.** In this section:

(a) “Client funds” means all down payments, earnest money deposits or other money related to a conveyance of real estate that is received by a broker, salesperson or time-share salesperson on behalf of the broker’s, salesperson’s or time-share salesperson’s principal or any other person. “Client funds” does not include promissory notes.