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IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : **FINAL DECISION AND ORDER**
THOMAS E. MARQUARDT, : **LS 0606271 REB**
RESPONDENT. :

Division of

Enforcement Case File # 06 REB 064

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

Thomas E. Marquardt
2376 North 72nd St.
Wauwatosa, WI 53213

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

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

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable. Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. The Respondent is Thomas E. Marquardt. Mr. Marquardt’s last-known address on file with the Department of Regulation and Licensing is 2376 North 72nd St., Wauwatosa, WI 53213. Mr. Marquardt holds real estate salesperson’s license number 94-53456 issued by the Wisconsin Department of Regulation and Licensing on 7-31-01.
2. As evidenced by a certified copy of a Judgment of Conviction for case number 2006CF001602 from the Milwaukee County Clerk of Courts, Mr. Marquardt on 4-14-06 pled “no contest” to and was convicted of three felony counts of Theft by False Representation of more than \$10,000.
3. The circumstances of Mr. Marquardt’s felony convictions for theft by false representation are substantially related to the practice of real estate and the convictions constitute grounds for discipline under sec. RL 24.17 (2), Wis. Admin. Code and sec. 452.14 (3) (i), Wis. Stats.
4. The allegations of the criminal complaint, to which Mr. Marquardt pled “no contest” on 4-14-06, establish that Mr. Marquardt has violated sec. RL 24.03 (2) (b), Wis. Admin. Code and sec. 452.14 (3) (k), Wis. Stats.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent **Thomas E. Marquardt** has violated:

- a. Sec. RL 24.17 (2), Wis. Admin. Code and sec. 452.14 (3) (i), Wis. Stats.
by being convicted of crimes the circumstances of which are substantially related to the practice of real estate.
- b. Sec. RL 24.03 (2) (b), Wis. Admin. Code and sec. 452.14 (3) (k), Wis. Stats. by engaging in fraudulent real estate transactions.

ORDER

I. NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

II. IT IS FURTHER ORDERED that the real estate salesperson's license of **Thomas E. Marquardt** number 94-53456, is REVOKED as of the date this Order is signed.

III. IT IS FURTHER ORDERED that **Thomas E. Marquardt** shall, within 60 days from the date of this order, pay costs of \$610.26. 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

FOR THE REAL ESTATE BOARD

By: Peter Sveum
A Member of the Board

8/24/06
Date