

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE APPLICATION :  
FOR LICENSURE AS REAL ESTATE :  
SALESPERSON FOR :  
FRANK SMITH, JR. :  
APPLICANT :

FINAL DECISION  
AND ORDER

PARTIES

The parties to this action for the purposes of s. 227.53 Stats., are:

Frank Smith Jr.  
1215 Jackson St.  
Apt. 205  
Stoughton, WI 53589

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

PROCEDURAL HISTORY

On August 24, 2006, the Wisconsin Real Estate Board, ("Board") was presented with information from the Department of Regulation and Licensing's Department Monitor that Smith had violated the Order Adopting Stipulation, ("Order") entered by the Department of Regulation and Licensing, ("Department") on April 5, 2004, whereby Smith was granted a limited license, number 59936, to practice as a real estate salesperson in the State of Wisconsin. On, August 24, 2006, the Board, after a review of the information presented, passed a motion revoking Smith's limited license based upon the findings of fact and conclusions of law contained herein.

FINDINGS OF FACT

1. On April 5, 2004, Frank Smith Jr., was granted a limited license, number 59936, to practice as a real estate salesperson in the State of Wisconsin, which provided in part:

8. *Failure by applicant Smith to timely comply with the terms of this limitation shall result in the revocation of his limited real estate salesperson's license.*

9. *Any further criminal conviction (including DWI or OWI) or violation of any probation term shall result in the revocation of applicant Smith's limited real estate salesperson's license without further notice or hearing or other proceedings.*

2. On April 17, 2006, Smith was convicted of violating Wis. Stats. § 961.41 (1)(cm), a felony in the state of Wisconsin.

CONCLUSIONS OF LAW

1. The conduct described in Finding of Fact number 2 constitutes a violation of paragraph 9 of the Order.
2. The Board has jurisdiction of this matter based upon paragraph 9 of the Order.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Frank Smith Jr.'s license, number 59936, to practice as a real estate salesperson in the State of Wisconsin, is REVOKED.

Date: Effective August 24, 2006

On behalf of the Board by:  
William Anderson Black  
Legal Counsel  
Wisconsin Real Estate Board