

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
RONALD A. DEKLOTZ :  
 : LS0608242REB  
RESPONDENT. :

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Division of Enforcement Case No. 03 REB 173

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

Ronald A. Deklotz  
55971 Reykdal Road  
Ashland, WI 54806

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

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

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Real Estate Board (“Board”). The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

## FINDINGS OF FACT

1. Respondent Ronald A. Deklotz ("Respondent"), whose date of birth is November 27, 1954, whose last known address of record with the Department of Regulation and Licensing ("Department") is 55971 Reykdal Road, Ashland, WI 54806, holds a license as a Real Estate Salesperson in the state of Wisconsin (94-51212). Respondent was granted the license on January 26, 2000, pursuant to Wis. Stat. Ch. 452. Respondent's license will expire on December 31, 2006.

2. On June 9, 2003, Respondent drafted a commercial offer to purchase a building on behalf of J.P. and a corporation owned by J.P. Respondent was acting as a sub-agent of the seller, and assisted J.P. as a buying customer. The offer was accepted on June 11, 2003.

3. On June 20, 2003, Respondent informed J.P. that, per the offer to purchase, closing must occur by June 30, 2003, even though the offer to purchase allowed J.P. thirty (30) days from the date of acceptance to secure financing. Respondent then suggested that J.P. seek an extension, which J.P. agreed to do. Respondent drafted an extension and J.P. was informed on June 26, 2003, that the extension had been granted. However, Respondent informed J.P. on July 10, 2003, that the extension was invalid, because only one of the two (unmarried) sellers of the property had signed the extension. J.P. was then informed by Respondent that, because he had failed to close on the property by June 30, 2003, his offer to purchase had lost first position, and that the sellers were electing to sell the property to another party.

4. Per Wis. Admin. Code § RL 24.03(2)(c), "Licensees shall be knowledgeable regarding laws, public policies and current market conditions on real estate matters and assist, guide and advise the buying or selling public based on these factors."

5. Per Wis. Admin. Code § RL 24.01(3), "If a licensee violates rules in this chapter, the licensee has demonstrated incompetency to act as a... salesperson... in such manner as to safeguard the interests of the public under s. 452.14(3)(i), Stats."

6. Per Wis. Stat. § 452.14(3)(i), a licensee is subject to discipline if he or she has, "Demonstrated incompetency to act as a... salesperson... in a manner which safeguards the interests of the public;"

7. As a mitigating factor, there is no evidence of intent on the part of Respondent Ronald A. Deklotz to defraud or mislead anyone. Additionally, Respondent Ronald A. Deklotz is no longer engaged in the practice of real estate, and has no present desire to practice real estate in the foreseeable future.

## CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 452.14.

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

3. By failing to timely advise a customer regarding the need for the signatures of both sellers of the property on the extension document, as described in paragraphs 2-3 above, Respondent has demonstrated incompetency to act as a salesperson in a manner which safeguards the interests of the public, contrary to Wis. Stat. § 452.14(3)(i), and, consequently, subjected himself to discipline.

## ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The offer of RONALD A. DEKLOTZ to **voluntarily surrender** his license as a real estate salesperson (94-51212), including the right to renew his license, is hereby ACCEPTED.
2. In the event that RONALD A. DEKLOTZ seeks a license from the Department of Regulation and Licensing in the future, then costs of this matter in the amount of \$1700.00 shall be due on the date of the application; no interest shall accrue on costs from the date of this Order to the date of the application.

3. Within thirty (30) days of the signing of this Order RONALD A. DEKLOTZ shall submit all indicia of licensure to:

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  
Telephone: (608) 261-7904

4. This Order is effective on the date of signing.

WISCONSIN REAL ESTATE BOARD

By: Peter Sveum  
A Member of the Board

8/24/06  
Date

IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: :  
RONALD A. DEKLOTZ :  
: :  
RESPONDENT. :

STIPULATION

LS# \_\_\_\_\_

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Division of Enforcement Case No. 03 REB 173

It is hereby stipulated between Ronald A. Deklotz; and attorney Mark A. Herman, for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (Case No. 03 REB 173). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Respondent has been provided with the opportunity to obtain the advice of legal counsel prior to signing this stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Real Estate Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Real Estate Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

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Ronald A. Deklotz, Respondent  
55971 Reykdal Road  
Ashland, WI 54806

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Date

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Mark A. Herman, Attorney  
Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
1400 East Washington Avenue  
Madison, WI 53708-8935

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Date

[03 REB 173; Voluntary Surrender.]