

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MEG T. WRIGHT, KATHERINE A.	:	AS TO MEG T. WRIGHT
FALK and LAKESHORE VENTURES,	:	
	:	LS0610266REB
RESPONDENTS.	:	
	:	

Division of Enforcement Case No. 03 REB 247

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

Meg T. Wright
10803 N. Norway Drive
Mequon, WI 53092

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 **Meg T. Wright** (“Wright”), whose date of birth is December 22, 1953, and whose address of record with the Department of Regulation and Licensing (“Department”) is 10803 N. Norway Drive, Mequon, WI 53092, holds a license as a Real Estate Salesperson in the state of Wisconsin (94-54942). Ms. Wright was first granted the license on June 18, 2002, pursuant to Wis. Stat. Ch. 452; the license is scheduled to expire on December 31, 2006.

2. On May 3, 2003, Ms. Wright met B.A. and J.Kl. for the purpose of showing a condominium that was for sale to B.A. Prior to Ms. Wright’s arrival, B.A. and J.K. noticed another unit in the same complex that was for sale by owner. J.Kl. approached the owner, K.Kr., and asked to see the unit. At that time, K.Kr. declined, because the carpet was being cleaned.

3. After showing B.A. a different unit, Ms. Wright spoke with J.Kl. and learned that J.Kl. was interested in the unit being sold by K.Kr.

4. Ms. Wright claimed in a letter to the Department of Regulation and Licensing dated February 26, 2004, that:

“1) I suggested that (J.Kl.) could go and look at the condominium by herself... She expressed great concern about doing that as a single a (sic) person.

2) (J.Kl.) was uncomfortable entering the condominium by herself. I asked if she had a Real Estate Agent and she said, no I don’t have one. She agreed to have me represent her.

3) I knocked on the (K.Kr.’s) door and introduced myself... (and) proceeded to ask if they would consider a One Party Listing Agreement, because I had a buyer who would like to see their property.

4) The seller’s (sic) agreed to sign a One Party Listing Agreement. I filled out the necessary paperwork, then proceeded to show (J.Kl.) the condominium... The seller pointed out all of the upgraded features.”

5. The listing agreement between Ms. Wright and K.Kr. was executed on a form WB-1, Residential Listing Contract, with the word “Condominium” written under the heading, and with J.Kl.’s name written in the additional provisions section of the listing contract, but with no words or phrases in the contract stating that the listing agreement was a “One Party Listing Agreement” per Ms. Wright’s representations to the Department of Regulation and Licensing.

6. Prior to leaving the condominium site on May 3, 2003, Ms. Wright provided assistance to J.Kl. in drafting an offer to purchase. In drafting the offer to purchase, Ms. Wright utilized form WB-11, Residential Offer to Purchase, rather than a form WB-14, Residential Condominium Offer to Purchase. On May 7, 2003, Attorney Jack Keyes drafted an offer to purchase using a form WB-14, which replaced the offer to purchase previously drafted by Ms. Wright.

7. Ms. Wright did not provide an agency disclosure form to J.Kl.

8. Per Wis. Stat. § 452.135(2), “No broker may provide brokerage services to a party to a transaction unless the broker has provided to the party a written agency disclosure form...”

9. Per Wis. Stat. § 452.14(3), “...The board may revoke, suspend or limit any broker’s... license... or reprimand the holder of the license... if it finds that the holder of the license or registration has: (a) Made a material misstatement... in any information furnished to the board or the department; (i) Demonstrated incompetency to act as a... salesperson... in a manner which safeguards the interests of the public; (L) Violated any provision of this chapter; (or) (m) Failed to use forms approved under s.452.05(1)(b)...”

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 providing brokerage services to J.Kl. without providing J.Kl. with a written agency disclosure agreement, **Meg T. Wright** violated Wis. Stat. § 452.135(2), thereby subjecting herself to discipline per Wis. Stat. § 452.14(3)(L) and (m).

4. By utilizing a WB-11, rather than a WB-14 for the drafting of an offer to purchase a condominium, and by failing to clearly express that the listing agreement between herself and K.Kr. was a "one-party listing agreement," **Meg T. Wright** has demonstrated incompetency to act as a salesperson in a manner which safeguards the interests of the public, thereby subjecting herself to discipline per Wis. Stat. § 452.14(3)(i).

5. By providing the Department of Regulation and Licensing with a statement that J.Kl. was afraid to approach K.Kr., when J.Kl. had, in fact, already done so, and by providing the Department with a written statement that J.Kl. had agreed to be represented by her, when, in fact, she agreed to represent K.Kr. instead, **Meg T. Wright** has made one or more material misstatements in information provided to the Department concerning this matter.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The license of **Meg T. Wright** to practice as a real estate broker (#94-54942) shall be, and hereby is, REPRIMANDED.

IT IS FURTHER ORDERED THAT:

2. **Meg T. Wright** shall pay to the Department of Regulation and Licensing costs incurred in investigating and resolving this matter in the amount of \$1,500.00, which shall be paid by June 1, 2007.
3. **Meg T. Wright** shall pay to the Department of Regulation and Licensing a forfeiture in the amount of \$100, which shall be paid by November 15, 2006.
4. **Meg T. Wright** shall complete no less than eight hours of instruction as remedial education, which cannot be counted towards satisfaction of her continuing education requirements for any biennium. The topics covered to include: drafting and use of forms, agency and ethics. Respondent shall submit proof of completion of the remedial education required by this Order by no later than December 1, 2006.
5. All payments and proof of completion of education required by this Order shall be mailed or delivered 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

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license (#94-54942). The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit any payment as set forth above (if any), or fails to timely submit proof of completion of education as set forth above (if any), the Respondent's license (94-54942) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order, and with the suspension called for in this Order not to begin until the other terms of the Order have been complied with.

7. This Order is effective on the date of signing.
8. Division of Enforcement Case No. 03 REB 247 is hereby closed formally as to Respondent Meg T. Wright, and closed for Insufficient Evidence as to all other respondents.

WISCONSIN REAL ESTATE BOARD

By: Peter Sveum
A Member of the Board

10-26-06
Date

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	STIPULATION AS TO
	:	MEG T. WRIGHT
MEG T. WRIGHT, KATHERINE A.	:	
FALK and LAKESHORE VENTURES,	:	LS# _____ REB
	:	
RESPONDENTS.	:	

Division of Enforcement Case No. 03 REB 247

It is hereby stipulated between **Meg T. Wright**, Respondent; 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 247). 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 she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, 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 her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; 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 her 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 her 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 Respondent in recommending the Board adopt this Stipulation and issue the

attached Final Decision and Order.

<hr/> Meg T. Wright , Respondent 10803 N. Norway Drive Mequon, WI 53092	Date <hr/>
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<hr/> Mark A. Herman, Attorney Department of Regulation and Licensing Division of Enforcement P.O. Box 8935 1400 East Washington Avenue Madison, WI 53708-8935	Date <hr/>
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