

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE APPLICATION FOR :
A REAL ESTATE SALESPERSONS LICENSE FOR :
 : FINAL DECISION AND ORDER
BRIAN A DOAKS : LS _____
APPLICANT. :

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

Brian A Doaks
2092 S 102nd St #136
West Allis WI 53227

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

FINDINGS OF FACT

1. Brian A. Doaks (Applicant) has filed an application for a credential to practice as a real estate salesperson in the State of Wisconsin.
2. Information received in the application process reflects that:
 - a. On or about august 10, 1987 Applicant was convicted of violation of Wis. Stat. §§ 943.20(1)(a) and 943.30(3)(b) [theft]; and
 - b. On or about June 16, 1993 Applicant was convicted of violation of Wis. Stat. § 943.50 [retail theft].

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 convictions referenced above substantially relate to the practice of a real estate salesperson. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. § 452.14(3).

ORDER

NOW, THEREFORE, IT IS ORDERED that BRIAN A. DOAKS is GRANTED a REAL ESTATE SALESPERSON’S LICENSE, subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Practice Limitations

1. Applicant shall practice real estate only under the general supervision of a Wisconsin licensed real estate broker approved by the Department or Department Monitor.
2. Applicant shall not personally receive, hold or disburse "client funds", as that term is defined in Wis. Stats. § 452.13(1)(a) until otherwise ordered by the Department.

Reporting Requirements

3. Applicant shall provide a copy of this Final Decision and Order to supervisory personnel at all settings where Applicant works as a real estate salesperson.
4. Applicant shall arrange for his supervising broker to provide written reports to Department Monitor on a quarterly basis, on a schedule as directed by the Department Monitor. These reports shall describe the Respondent's sales activities and verify that he is in compliance with the laws governing the practice of real estate and the terms of this Order.
5. 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.
6. 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

7. 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 mailed, e-mailed, faxed 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) (608) 261-7904
Department.monitor@drl.state.wi.us

Petitions for Modification

8. Applicant may petition the Department for modification of the terms of this Order after one year from the effective date of this order. Any such petition shall be accompanied by a written recommendation from Applicant's employer expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of §227.01(3)(a), Stat., and Applicant shall not have a right to any further hearings or proceedings on the denial.

Costs

9. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order

Summary Suspension / Additional Discipline

10. The Department may revoke this license without further notice or hearing or other proceeding for failure by the Applicant to timely comply with the terms of this Order and/or for any further criminal conviction of Applicant. A violation of this Order may alternatively be the basis for a summary suspension under Wis. Admin. Code RL Ch. 6 or separate disciplinary action under Wis. Stat. §440.26(6).

Dated at Madison, Wisconsin this 14th day of July, 2006.

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