

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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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
JASON M WEDNER
APPLICANT. :

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

Jason M Wedner
594 E Pioneer Rd Apt 12
Fond du Lac WI 54935t

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

FINDINGS OF FACT

1. Jason M. Wedner (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 October 16, 1995 Applicant was convicted of violation of Wis. Stat. § 343.44(1) [operating after revocation];
 - b. On or about October 16, 1996 Applicant was convicted of violation of Wis. Stat. § 343.05(3)(A) [operate vehicle with valid operator's];
 - c. On or about January 8, 1999 Applicant was convicted of violation of Wis. Stat. § 343.18(1) [failure to have drivers license on person];
 - d. On or about March 25, 1999 Applicant was convicted of violation of Wis. Stat. § 343.18(1) [license to be carried];
 - e. On or about November 21, 2000 Applicant was convicted of violation of Wis. Stat. § 343.44(1)(a) [operating while suspended];
 - f. On or about January 4, 2002 Applicant was convicted of violation of Wis. Stat. § 343.44(1)(a) [operating while suspended];
 - g. On or about April 3, 2003 Applicant was convicted of violation of Wis. Stat. § 943.20(1)(B) [theft by virtue of employment];
 - h. On or about April 7, 2003 Applicant was convicted of violation of Wis. Stat. § 346.63(1)(A) [operating while intoxicated];
 - i. On or about May 28, 2003 Applicant was convicted of violation of Wis. Stat. § 779.02(5) [theft by contractor (>\$2500)];
 - j. On or about October 13, 2003 Applicant was convicted of violation of Wis. Stat. § 943.20(1)(b) [theft-business setting >\$2500];
 - k. On or about November 10, 2003 Applicant was convicted of violation of Wis. Stat. § 343.44(2)(B) [operating while revoked (amended on September 17, 2004 to violation of Wis. Stat. § 343.05(3)(a) [operate w/o valid license]]];
 - l. On or about November 13, 2004 Applicant was convicted of violation of Wis. Stat. § 341.03(1) [operate after rev/susp registration];
 - m. On or about February 7, 2005 Applicant was convicted of violation of Wis. Stat. § 343.18(1) [operate w/o carrying license and];
 - n. On or about April 19, 2006 Applicant was charged with one count of operating while revoked. These charges are still pending in Fond du Lac County Circuit Court.

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 arrest and 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 JASON M. WEDNER 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).

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 and (if applicable) to his treatment provider.
4. It is Applicant's responsibility to arrange for written reports from his real estate supervisor(s) to be provided to Department Monitor on a quarterly basis, as directed by 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 comply with all terms of probation and/or parole imposed upon him, and make arrangements with his probation/parole officer to notify the Department Monitor **immediately** of any violation of probation/parole terms. In addition, Applicant shall make arrangements for the submission of quarterly reports from his probation/parole office attesting to the status of his participation in probation/parole. Applicant shall provide the Board with current releases complying with state and federal laws, authorizing release and access to her probation and parole records.
6. 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.
7. 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

8. 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

9. Applicant may petition the Department for modification of the terms of this Order after five years from the effective date of this order. Any such petition shall be accompanied by a written recommendation from Applicant's employer and (if applicable) his treatment provider 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

10. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

Summary Suspension / Additional Discipline

11. Failure by Applicant to timely comply with the terms of this limitation and/or any further criminal conviction shall result in the revocation of Applicant's limited license without further notice or hearing or other proceeding. 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 24th day of July, 2006.

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

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF APPLICATION FOR :
REAL ESTATE SALESPERSON LICENSE FOR :
 : **STIPULATION**
 JASON M WEDNER :
 Applicant :

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Department of Regulation and Licensing as follows:

The Applicant has filed an application for a real estate salesperson license. Information received by the Department reflects a basis for denial of the application for a credential. Based upon the information of record herein, the Department agrees to issue and the Applicant agrees to accept an Order issuing a limited real estate salesperson license subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this ____ day of _____, 2006

Jason M Wedner

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING

Dated this ____ day of _____, 2006.

By: _____
Steven M. Gloe