

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAMES M. GORDON,
G & R REALTY INC.,
RESPONDENTS.

:
:
: **FINAL DECISION AND ORDER**
:
:
: **LS0602235REB**
:

Division of Enforcement Case File # 04 REB 017

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

James M. Gordon
G & R Realty Inc.
28050 W. Okelly Dr.
Ingleside, IL 60041

G & R Realty Inc.
1115 N. cedar Lake Rd.
Round Lake Beach, IL 60073

Wisconsin Real Estate Board
P.O. Box 8935
Madison, WI 53708

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

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. **James M. Gordon** is a licensed real estate broker in the State of Wisconsin, license # 90-44922, first granted on 03/08/91. Mr. Gordon's most recent address on file with the Department of Regulation and Licensing is 28050 W. Okelly Dr., Ingleside, IL 60041.
2. **G & R Realty Inc.** located at 629 W. Rollins Rd., Round Lake Beach, Illinois was a licensed real estate business entity in the State of Wisconsin, holding license # 91-834815, which was first granted on 01/09/96. The license granted to G & Realty Inc. expired on 12/31/04 and it has not been renewed.
3. At all times relevant to the facts set forth below, Mr. Gordon was the owner/president and broker/employer of Realty Inc.
4. Mr. Gordon is now the owner and broker/employer of GNR Residential & Commercial Real Estate located at W. Rollins Rd. Round Lake Beach, IL 60073, license # 91 835761, which was first granted on 07/19/04.

5. At all times relevant to the facts Randy Nosalik was active as a real estate agent for G & R Realty Inc. Mr. Nosalik is a licensed real estate agent in Illinois but is not a licensee in Wisconsin. Mr. Nosalik received his Illinois license on 5/23/00.

6. In January 2001, Debbie Kaiser and Nancy Bundza of Keller Williams stated that Mr. Nosalik was the agent they negotiated with throughout the transaction for the property located at 23727 127th Place in Salem WI.

7. In 2001 Wayne A. Sobczak, a broker of Tiffany Real Estate Realty World stated that he negotiated with Mr. Nosalik throughout the transaction involving property located at 27214 113th St., in Trevor WI.

8. In November 2002, Mr. Nosalik showed property located at 10024 69th St. in Kenosha WI.

9. Mr. Nosalik received commissions as a result of these Wisconsin transactions.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. The conduct described above, constitutes a violation of:

a. Wis. Admin. Code §§ RL 17.07, RL 24.17(3), and Wis. Stat. §§ 452.01(2)(a), 452.03, 452.12(3), and 452.17(1) by failing to check Randy Nosalik licensing status and allowing him to continue to act as a real estate agent while unlicensed in the state of Wisconsin.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **James M. Gordon**, real estate broker's license #90-44922 is hereby **REPRIMANDED**.

2. **G & R Realty Inc.**, real estate business entity license #91-834815 is hereby **REPRIMANDED**.

3. Respondents shall jointly and severally, within 60 days of the date of this Order, pay a **FORFEITURE** in the amount of \$1,000.00.

4. Respondents shall jointly and severally, within 60 days of the date of this Order, pay **COSTS** of this proceeding in the amount of \$1,200.00.

Payment of costs, as well as forfeitures, shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 261-7904, Fax (608) 266-2264

5. In the event either Respondent fails to timely submit any payment as ordered, or for any other violation of the terms of this Order, such violation may be construed as conduct imperiling public health, safety and welfare and the Respondent's license SHALL BE SUSPENDED without further notice or hearing, and SHALL REMAIN SUSPENDED until Respondent has complied with the terms of this Order. 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.

6. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE BOARD

By: Peter Sveum
A Member of the Board

2/23/06
Date