

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
: LS06101810APP
JERRY A.CURRIE, :
RESPONDENT. :

Division of Enforcement Case No. 06 APP 041

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

Jerry A. Currie
1901 Jackson
Stoughton, Wisconsin 53589

Real Estate Appraisers Board
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

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 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. Jerry A. Currie (Date of Birth: August 22, 1948) possesses a certificate of licensure to practice in the state of Wisconsin as a Licensed Appraiser (certificate number 4-1938). This certificate was first granted on December 6, 2005, and is current until December 14, 2007.
2. Mr. Currie's most recent address known to the Department of Regulation and Licensing (hereinafter Department) is 1901 Jackson, Stoughton, Wisconsin 53589.
3. Each person possessing a certificate of licensure to practice as a Licensed Appraiser in the state of Wisconsin must renew the certificate of licensure biennially, by January 1 of each even-numbered year. [Wis. Stat. sec. 440.08(2)(a)12.]
4. To be eligible to renew the certificate of licensure for the next biennial registration period, the licensee who was initially licensed or certified within a biennium shall have completed at least 14 hours of Department approved continuing education for each year of licensure or certification. [Wis. Admin. Code § RL 85.01(1m)]
5. On January 27, 2006, as part of a random audit which the Real Estate Appraisers Board conducted of its licensees, Mr. Currie was sent a letter requesting that he send the Board verification that he had completed the 14 hours of approved continuing education.

6. Mr. Currie submitted documentation that he had completed no hours of approved continuing education hours since December 6, 2005. Mr. Currie completed 14 hours of approved continuing education hours in February of 2006. Mr. Currie wanted the 14 hours to be attributed to the December 6, 2005, through December 31, 2006, biennium.
7. Mr. Currie did not complete the required 14 hours of approved continuing education from December 6, 2005, through December 31, 2005.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction over this matter, pursuant to Wis. Stat. sec. 458.26, and Wis. Admin. Code Ch. RL 85.
2. The Wisconsin Real Estate Appraisers Board is authorized to enter into the attached stipulation, pursuant to Wis. Stat. sec. 227.44(5).
3. By not completing the required 14 continuing education hours during the required time frame Jerry A. Currie has violated:
 - a. Wis. Stat. sec. 458.26(3)(b). Engaged in unprofessional conduct in violation of rules promulgated under Wis. Stat. sec. 458.24.
 - b. Wis. Stat. sec. 458.26(3)(i). Violated this chapter or any rule promulgated under this chapter.
 - c. Wis. Admin. Code § RL 85.01(1m). Continuing Education Requirements.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Jerry A. Currie (certificate 4-1938) is hereby **REPRIMANDED**.
2. **IT IS FURTHER ORDERED** that Mr. Currie shall pay the amount of **ONE HUNDRED dollars (\$100.00)** for a **full assessment of costs** of this proceeding, all to be paid within **one hundred twenty (120) days** of the effective date of the Board's Order.
3. The assessed forfeiture and partial assessment of costs shall be payable by cashier's check or money order made payable to the Department Monitor (Place case number on the check or money order and the words "Forfeiture" and/or "Costs").

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
4. If Mr. Currie fails to pay the full assessment of costs, or fails to obtain a written extension from the Board to do the same, then Mr. Currie shall be considered to be in violation of the Board's Order and may be subjected to further discipline.
5. The effective date of the board's Order is the date of signing by the Board's chair or designee.

By: Mark P. Kowbel
On Behalf of the Board

10-18-2006
Date

IN THE MATTER OF _____ :
DISCIPLINARY PROCEEDINGS AGAINST _____ : STIPULATION
: LS# _____
JERRY A. CURRIE, :
RESPONDENT. :

Division of Enforcement Case No. 06 APP 041

- It is hereby stipulated between Jerry A. Currie, Respondent, and John C. Temby, Attorney 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 Mr. Currie by the Division of Enforcement (06 APP 041). Mr. Currie consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
 2. Mr. Currie understands that by the signing of 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. Mr. Currie is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this Stipulation.
 4. Mr. Currie agrees to the adoption of the attached Final Decision and Order by the Real Estate Appraisers Board (hereinafter “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. Mr. Currie waives all rights to any appeal of the Board's order, i 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 the consideration of this attempted resolution.
 6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and the member of the Board assigned as advisor in this investigation may appear before the Board in open and closed session, without the presence of Mr. Currie 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. Mr. Currie is informed that should the Board adopt this Stipulation, the Final Decision and Order is a public record and will be published in accordance with standard Department procedures.
 8. The Division of Enforcement joins Jerry A. Currie in recommending the Board adopt this Stipulation and issue the

attached Final Decision and Order.

Jerry A. Currie
Respondent
1901 Jackson
Stoughton, Wisconsin 53589
License Number: 4-1938

Date

John C. Temby
Attorney
Division of Enforcement
Post Office Bx 8935
Madison, Wisconsin 53708-8935

Date