

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
: LS06101817APP
WILLIAM W. LINDBLADE, :
RESPONDENT. :

Division of Enforcement Case No. 06 APP 024

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

William W. Lindblade
2904 Skyline Drive
Eagan, Minnesota 55121

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. William W. Lindblade (Date of Birth: October 17, 1939) possesses a certificate of licensure and a certificate of certification to practice in the state of Wisconsin as a Certified Residential Appraiser and Licensed Appraiser (certificate number 9-1040). These certificates were first granted on December 4, 1996, and are current until December 14, 2007.
2. Mr. Lindblade's most recent address known to the Department of Regulation and Licensing (hereinafter Department) is 2904 Skyline Drive, Eagan, Minnesota 55121.
3. Each person possessing certificates of licensure and certification to practice as a Certified Residential Appraiser and a Licensed Appraiser in the state of Wisconsin must renew those certificates of licensure and certification biennially, by January 1 of each even-numbered year. [Wis. Stat. secs. 440.08(2)(a)11m.]
4. To be eligible to renew the certificates of licensure and certification for the next biennial registration period, the licensee must have completed at least 28 hours of Department approved continuing education in the previous biennial registration period. [Wis. Stat. sec. 458.13, and Wis. Admin. Code § RL 85.01(1)]
5. Prior to December 31, 2005, the Department sent Mr. Lindblade a Certified Residential Appraiser and Licensed Appraiser Renewal Application to execute and return with the required fee if Mr. Lindblade wished to renew his certificates of licensure and certification in the state of Wisconsin for the January 1, 2006, through December 14, 2007, biennium. That Certified Residential Appraiser and Licensed Appraiser Renewal Application contains the following language, immediately above the line which Mr. Lindblade was to date and sign:

“I have completed 28 hours of Department-approved education credits, including at least 7 hours in the Uniform Standards of Professional Appraisal Practice (USPAP), between January 1, 2004 and December 31, 2005. I have evidence of this which I will furnish to the Department upon request.”

That Certified Residential Appraiser and Licensed Appraiser Renewal Application contains the following language immediately below the line which Mr. Lindblade was to date and sign:

“MAKING A FALSE STATEMENT IN CONNECTION WITH ANY APPLICATION FOR CREDENTIAL IS GROUNDS FOR REVOCATION OR DENIAL.”

6. On December 12, 2005, Mr. Lindblade completed the Certified Residential Appraiser and Licensed Appraiser Renewal Application certifying that he had completed the continuing education requirements of the Real Estate Appraisers Board during the January 1, 2004, through December 31, 2005, biennium. A copy of his December 12, 2005, Certified Residential Appraiser and Licensed Appraiser Renewal Application is attached as Exhibit A and is incorporated herein by reference.
7. As part of a random audit which the Real Estate Appraisers Board conducted of its licensees, Mr. Lindblade was sent a letter, dated January 27, 2006, requesting that he send the Board verification that he had completed the 28 hours of approved continuing education, which he had claimed to have completed prior to renewing his certificates of licensure and certification for the January 1, 2006, through December 14, 2007, biennium.
8. Mr. Lindblade submitted documentation that he had completed 18.75 hours of approved continuing education hours during the January 1, 2004, through December 31, 2005, biennium. Mr. Lindblade completed an additional 11 hours of approved continuing education hours in February of 2006. Mr. Lindblade wanted the 11 hours to be attributed to the January 1, 2004, through December 31, 2005, biennium.
9. Mr. Lindblade did not complete the required 28 hours of approved continuing education during the January 1, 2004, through December 31, 2005, biennium, prior to renewing his certificates for the January 1, 2006, through December 14, 2007, biennium.
10. Mr. Lindblade made a material misstatement on his December 12, 2005, Certified Residential Appraiser and Licensed Appraiser Renewal Application when he attested that he had completed 28 hours of approved continuing education during the January 1, 2004, through December 31, 2005, biennium.

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 28 continuing education hours during the required time frame William W. Lindblade has violated:
 - a. Wis. Stat. sec. 458.13. Continuing Education Requirements.
 - b. Wis. Stat. sec. 458.26(3)(a). Made a material misstatement in an application for the certificate or renewal of the certificate or in any other information furnished to the Board or Department.
 - c. Wis. Stat. sec. 458.26(3)(b). Engaged in unprofessional conduct in violation of

rules promulgated under Wis. Stat. sec. 458.24.

- d. Wis. Stat sec. 458.26(3)(i). Violated this chapter or any rule promulgated under this chapter.
- e. Wis. Admin. Code § RL 85.01. Continuing Education Requirements.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. William W. Lindblade (certificate 10-1040) is hereby **REPRIMANDED**.
2. **IT IS FURTHER ORDERED** that Mr. Lindblade shall pay a **forfeiture** in the amount of **FIVE HUNDRED dollars (\$500.00)**; and the amount of **ONE HUNDRED TWENTY-FIVE dollars (\$125.00)** 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 adopting the Stipulated Agreement.
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. Lindblade fails to fails to pay the forfeiture and full assessment of costs, or fails to obtain a written extension from the Board to complete same, then Mr. Lindblade 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.

REAL ESTATE APPRAISERS BOARD

By: Mark P. Kowbel
On Behalf of the Board

10-18-2006
Date

State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CERTIFIED RESIDENTIAL APPRAISER AND LICENSED APPRAISER

STATE OF WISCONSIN
RECEIPT

CREDENTIAL NO.
0001040-009

STATUS: ACTIVE

PLEASE PRINT NAME/ADDRESS
CHANGES IN SPACE BELOW

WILLIAM W LINDBLAD
2904 SKYLINE DR
EAGAN MN 55121

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
PO BOX 8935
MADISON WI 53708

DO NOT WRITE BELOW THIS POINT

#009R

TO AVOID A LATE PENALTY FEE, YOUR RENEWAL APPLICATION AND FEE MUST ACTUALLY BE RECEIVED BY THE DEPARTMENT ON OR BEFORE THE DUE DATE. THE DATE OF MAILING, AS INDICATED BY A POSTMARK, IS NOT EVIDENCE OF RECEIPT.
FULL PAYMENT INCLUDING ANY PENALTY FEES THAT MAY APPLY MUST BE RECEIVED BY THE DEPARTMENT BEFORE YOUR LICENSE WILL BE ISSUED. IF YOU DO NOT APPLY FOR RENEWAL BY THE RENEWAL DEADLINE, YOUR LICENSE WILL EXPIRE AND YOU MAY NOT USE CERTAIN TITLES, AS NOTED ABOVE.

PLEASE COMPLETE THE FOLLOWING INFORMATION WHICH IS REQUIRED IN ORDER TO RENEW YOUR LICENSE:

- ☒ I have completed 28 hours of Department-approved continuing education credits, including at least 7 hours in the Uniform Standards of Professional Appraisal Practice (USPAP), between January 1, 2004 and December 31, 2005. I have evidence of this which I will furnish to the Department upon request.
- OR
- ☐ If initial credential was granted in 2005, I have completed 14 hours of Department-approved continuing education credits, including at least 7 hours in the Uniform Standards of Professional Appraisal Practice (USPAP), between January 1, 2004 and December 31, 2005. I have evidence of this which I will furnish to the Department upon request.

Date: 12-12-2005

Signature: William W. Lindblad

STATE'S
EXHIBIT

A

IN THE MATTER OF _____ :
DISCIPLINARY PROCEEDINGS AGAINST _____ :
: LS# _____
WILLIAM W. LINDBLADE :
RESPONDENT. :

It is hereby stipulated between William W. Lindblade, Respondent, and John C. Temby, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

2. Mr. Lindblade 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.

4. Mr. Lindblade 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. Lindblade waives all rights to any appeal of the Board's order, if adopted in the form as attached.

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. Lindblade 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. Lindblade 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 William W. Lindblade in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

William W. Lindblade
Respondent
2904 Skyline Drive
Eagan, Minnesota 55121
License Number: 9-1040

Date

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

Date