

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
VICTORIA M. ERGEN &	:	
MASTERCRAFT REALTY CORP.	:	
RESPONDENTS.	:	LS0610265REB

Division of Enforcement Case File # 05 REB 126

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

Victoria M. Ergen
3515 E. American Ave.
Oak Creek, WI 53154

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. **Victoria M. Ergen** is a licensed real estate broker in the State of Wisconsin, license # 90-48740, which was first granted on 12/30/96. Ms. Ergen’s most recent address on file with the Department of Regulation and Licensing is 3515 E American Ave., Oak Creek, WI 53154.
2. At all times relevant to the facts set forth below; Ms. Ergen was the sales manager for Mastercraft Realty Corp supervising broker for Gerald J. Bentrup.
3. Mastercraft Realty Corp. is a licensed real estate business entity in the State of Wisconsin, license # 91-83540 Green Bay Rd., Kenosha, WI 53144.
4. Gerald J. Bentrup is a licensed real estate salesperson in the State of Wisconsin, license # 94-55490, first granted on 09/30/02. Mr. Bentrup’s most recent address on file with the Department of Regulation and Licensing is 919 E. Auer Ave., Milwaukee, WI 53212.
5. Gerald Bentrup’s license expired on January 1, 2005. Mr. Bentrup submitted a renewal application on of before January 1, 2005, but he did not complete the required continuing education.
6. Gerald Bentrup stated that he contacted the Department of Regulation and Licensing in October of 2004 to ask whether he needed to complete continuing education in order to renew his license in January of 2005, and that he was told

that he did not need to, because he had received his license in late 2002. This is not an accurate statement of the renewal requirement, and it is not likely that he was told this.

7. On or around January 1, 2005, after Mr. Bentrup sent his renewal application, the Department contacted him and explained that he was required to take continuing education for renewal.

8. Mr. Bentrup submitted proof of continuing education and renewed his license on June 8, 2005.

9. During the time Mr. Bentrup's license was expired he continued to work as a sales agent for Mastercraft Realty Corp.

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. Respondents Victoria M. Ergen and Mastercraft Realty Corp. have violated Wis. Stat. §§ 452.12(3), and 452.14(3)(i), and Wis. Adm. Code § RL 17.07 by failing to check Gerald J. Bentrup's licensing status and in allowing him to continue to act as a real estate agent while unlicensed.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Victoria M. Ergen and Mastercraft Realty Corp.** license # 90-48740 and # 91-835400 are hereby **REPRIMANDED**.

2. Respondents shall jointly and severally, within 60 days of the date of this Order, pay one half of the **COSTS** of this proceeding in the amount of \$800.00.

Payment of costs, 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

3. In the event either Respondents fail to timely submit payment as ordered, such violation may be construed as conduct imperiling public health, safety and welfare and the Respondents' licenses SHALL BE SUSPENDED without further notice or hearing, and SHALL REMAIN SUSPENDED until Respondents have 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.

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

WISCONSIN REAL ESTATE BOARD

By: Peter Sveum
A Member of the Board

10-26-2006
Date