

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**
SCOTT T. WEIKEL, :
RESPONDENT. : **LS0702226REB**
 :
 :

Division of Enforcement Case File # 06 REB 172

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

Scott T. Weikel
104 James Ave.
Rothschild, WI 54474

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

PROCEDURAL HISTORY

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. Scott T. Weikel, date of birth 03/29/59, was issued a limited real estate salesperson license in the State of Wisconsin, # 94-64041, on 05/27/05. Mr. Weikel's most recent address on file with the Department of Regulation and Licensing is 104 James Ave. , Rothschild, WI 54474.

2. The limitations to Mr. Scott's real estate salesperson license listed in the May 27, 2005, Department Order were as follows:

- Comply with all terms of probation;
- Submission of quarterly reports from probation officer;
- Maintain participation in the drug and alcohol treatment program;
- Treatment provider shall submit formal written reports to the Department quarterly;
- Abstain from all personal use of alcohol and controlled substances;
- Comply with any request by an employer of his probation officer for a screen for alcohol or controlled substances;
- Report and change of employment status, residence address, or telephone number with five days of the change.

3. On or about September 13, 2005, the Department notified Mr. Weikel that he was not in compliance with submitting his quarterly reports for his limited real estate salesperson's license. Department records indicate that Mr. Weikel failed to get into compliance after notification was sent to him in regards to submitting quarterly work reports.

4. On or about May 19, 2006, Mr. Weikel was convicted of felony Theft-Business Setting > \$5000-\$10,000 in the State of Wisconsin Marathon County. Mr. Weikel was sentenced to one year jail time with 9 months stayed; serve 3 months with Huber for treatment and work, community service and restitution.

5. Department records also indicate that Mr. Weikel did not report his May 19, 2006 conviction to the Department at any time relevant to this disciplinary action.

6. Mr. Weikel agrees to resolve this matter by surrendering his real estate salesperson's license pursuant to the terms of this Final Decision and Order and the accompanying Stipulation.

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. Respondent **Scott T. Weikel** has violated:

- a. Wis. Admin. Code §§ RL 24.17(3) and RL 24.01(3), and Wis. Stat. § 452.14(3)(i) by failing to comply with May 2005 Department Order; and
- b. Wis. Admin. Code § RL 24.17 (1) by being convicted of and failing to report a felony Theft-Business Setting > \$5000-\$10,000 on May 19, 2006, the circumstances of which substantially relate to the practice of real estate.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the **Voluntary Surrender** of the Real Estate Salesperson's License of Respondent **Scott T. Weikel**, license #94-64041, is hereby accepted.

IT IS FURTHER ORDERED, that Respondent **Scott T. Weikel**, will not practice or attempt to practice real estate in the State of Wisconsin when not currently licensed.

This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE BOARD

By: Peter Sveum
A Member of the Board

2/22/07
Date