

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER :
 : LS0708032RSG
JOHN D. DUCHAC. :
RESPONDENT. :

[Division of Enforcement Case File #: 04 RSG 007]

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

John D. Duchac
4638 South 1st Street, Apt. 19
Milwaukee, WI 53207

Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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

The Department Secretary adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. John D. Duchac (“Respondent”), date of birth 06/01/75, is licensed as a private security person having license #108 0016863. This license was first granted on 02/14/01.
2. Department of Regulation and Licensing (“Department”) records indicate the most current address of the Respondent is: 4638 South 1st Street, Apt. 19, Milwaukee, Wisconsin 53207
3. On or about March 24, 2004, the Department received a referral complaint from the Department of Health and Family Services concerning allegations of theft against the Respondent. The alleged incident took place in March 2004, while the Respondent was employed as a security person by Genesis Detoxification Center (GDC) in Milwaukee, Wisconsin.
4. On or about July 14, 2006, the Department’s investigative staff sent the Respondent a letter notifying him that a complaint had been received in regards to the alleged incident that took place at GDC. The letter requested that the Respondent respond to the Department’s inquiries in writing within ten (10) days of receiving the letter. The letter was mailed to the last reported address of the Respondent which was: 9545 West Oklahoma Avenue, Apt. 12, Milwaukee, WI 53227. To date, the Department has not received a response to its first inquiry from the Respondent.
5. On August 4, 2006, a second letter was sent to the Respondent’s reported address on file with the Department. The A

4, 2006 letter was returned to the Department by the Postmaster indicating an address change of: 4638 South 1st Street, Apt. Milwaukee, WI 53207. On or about June 5, 2007, the Respondent was sent a certified letter to his new address. On June 1: 2007, the Department received a response from the Respondent.

6. In resolution of this matter, the Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.21.
2. The Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44 (5).
3. Respondent, John D. Duchac has violated:
 - a. Wis. Stat. § 440.11(1) and Wis. Admin. Code § RL 32.04 by failing to notify the Department of a change of address within thirty (30) days; and
 - b. Wis. Stat. § 440.26(6)(a)2.4. and Wis. Admin. Code § RL 35.01(23) for failing to respond to multiple investigative inquiries from the Department within thirty (30) days.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. The attached Stipulation is hereby accepted.
2. Respondent John D. Duchac, license #108-0016863 be, and hereby is, REPRIMANDED.
3. Respondent John D. Duchac, shall, every ninety (90) days from the date of this Order, pay four installments of TWO HUNDRED FIFTY DOLLARS (\$250.00) in COSTS until the full amount of ONE THOUSAND DOLLARS is received by the Department (\$1,000,00).

Payments shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing sent 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**

IT IS FURTHER ORDERED, that in the event that John D. Duchac fails to timely submit payment of the costs as set forth above, the private security permit for John J. Webb (# 108 0016863) **SHALL BE SUSPENDED**, without further hearing and without further Order of the Department, and said suspension shall continue until the full amount of said costs has been paid to the Department of Regulation and Licensing and their failure to pay the costs shall be considered a violation of this Order by the Department.

IT IS FURTHER ORDERED, that file 04 RSG 007, be and hereby is, closed as to Respondent John D. Duchac.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Celia M. Jackson

8/3/07

Date