

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD

IN RE DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	
	:	FINAL DECISION AND ORDER
JACOB D. SEIPEL and JOE H.	:	
SEIPEL,	:	LS0710091APP
	:	
RESPONDENTS.	:	

Division of Enforcement Case No. 05 APP 097

The parties to this action for the purposes of Wis. Stats. Sec. 227.53 are:

Jacob D. Seipel
4245 South Ravinia Drive
Greenfield, WI 53221

Joe H. Seipel
1333 College Avenue, Suite D
Milwaukee, WI 53172

Real Estate Appraisers Board
P.O. Box 8935
Madison, WI 53708-8935

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 decision of the matter, subject to the approval of the Real Estate Appraisers Board. A formal complaint has been filed in this matter. The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Jacob “Jake” D. Seipel (“Jake”), whose last known address of record with the Department of Regulation and Licensing (“Department”) is 4245 South Ravinia Drive, Greenfield, WI 53221, and whose date of birth is July 19, 1976, possesses a certificate of licensure and a certificate of certification to practice as a certified residential appraiser (#9-1299). The certificate was first granted on August 21, 2003, and expired on January 1, 2006, with a right to renew for five years following the date of expiration.

2. Respondent Joe H. Seipel (“Joe”), whose address of record with the Department of Regulation and Licensing (“Department”) is 1333 College Avenue, Suite D, Milwaukee, WI 53172, and whose last known address is 508 2nd Avenue South, Great Falls, MT 59405, and whose date of birth is December 14, 1952, possesses a certificate of licensure and a certificate of certification to practice as a certified general appraiser (#10-1215). The certificate was first granted on May 23, 2003, and expired on December 14, 2007, with a right to renew for five years following the date of expiration.

3. On October 5, 2007, a formal complaint was filed against Joe and Jake in Case Number LS#0710091APP, alleging various violations of the Uniform Standards of Professional Appraisal Practice. The contents of the Complaint are incorporated herein by reference.

4. Per Wis. Stat. § 458.26(3), “... the board may limit, suspend or revoke any certificate under this chapter... if the... board finds that the... holder of the certificate has done any of the following: (b) Engaged in unprofessional... conduct in violation of rules promulgated under s. 458.24.

5. Per Wis. Admin. Code § RL 86.01(2), “All appraisals performed in conjunction with federally related transactions and non-federally related transactions shall conform to the uniform standards of professional appraisal practice set forth in Appendix I.”

6. In lieu of proceeding to hearing, the parties have agreed to resolve this matter by the terms of this Order.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 458.26, and have subjected themselves to discipline.

2. The Wisconsin Real Estate Appraisers Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondents **Jacob D. Seipel** (license # 9-1299) and **Joe H. Seipel** (#10-1215) are hereby ordered to successfully complete sixty (60) hours of remedial education. Such education may not be counted towards respondents' continuing education requirements. Such education must be completed thirty (30) days prior to the receipt of any application or request for licensure whether permanent or temporary, and whether reciprocal or otherwise.

IT IS FURTHER ORDERED that:

2. In the event that either **Jacob D. Seipel** and **Joe H. Seipel** seek to practice as appraisers in Wisconsin, or seek licensure or certification as appraisers, then all costs of this matter shall be immediately due and owed, in the amount of \$3,250.00. Respondents **Jacob D. Seipel** and **Joe H. Seipel** shall be held jointly and severally liable for said costs.

3. Any submissions required by this order shall be delivered 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

4. Case number 05 APP 097 is hereby closed.

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses and certifications (#9-1299 and #10-1215). The Real Estate Appraisers Board in its discretion may in the alternative impose additional conditions and limitations or other additional disciplinary violation of any of the terms of this Order. In the event that Respondents fails to timely submit any payment of costs as set forth above, or fails to comply with the ordered education then the responsible Respondents' licenses and certifications (#9-1299 and #10-1215) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this

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

REAL ESTATE APPRAISERS BOARD

By: Marla Britton
A Member of the Board

8/13/08
Date

**STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISERS BOARD**

**IN RE DISCIPLINARY PROCEEDINGS
AGAINST**

**JACOB D. SEIPEL and JOE H.
SEIPEL,

RESPONDENTS.**

:
:
:
:
:
:

STIPULATION

LS#0710091APP

Division of Enforcement Case No.s 05 APP 097

It is hereby stipulated and agreed, by and between Jacob D. Seipel, Respondent; Joe H. Seipel, Respondent; and Mark A. Herman, attorney for Complainant, State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation resolves pending investigations against Respondents' licensures and certifications by the Division of Enforcement (05 APP 097). A formal complaint has been filed against Respondents. Respondents consent to the resolution of this formal complaint in lieu of proceeding to hearing.

2. Respondents understand that by signing this Stipulation they voluntarily and knowingly waive their rights, including: the right to a hearing on the allegations against them, at which time the state has the burden of proving those allegations preponderance of the evidence; the right to confront and cross-examine the witnesses against them; the right to call witnesses on their behalf and to compel their attendance by subpoena; the right to testify themselves; 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 them under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law. Respondents deny the Findings of Fact and Conclusions of Law contained in the attached Order, however, Respondents admit that there is some evidence from which the Board can make the Findings of Fact and reach the Conclusions of Law contained therein.

3. Respondents have been provided with the opportunity to obtain legal counsel prior to signing this Stipulation.

4. Respondents agree to the adoption of the attached Final Decision and Order by the Real Estate Appraisers Board (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. Respondents waive all rights to any appeal of the Board's order, if 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 then 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 any member of the Real Estate Appraisers Board ever assigned as an advisor in this investigation may appear before the Board, without the presence of Respondents or their attorneys, for purposes of speaking in support of this agreement and answering questions that any person 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. Respondents are informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Respondents in recommending the Board adopt this Stipulation and issue the

attached Final Decision and Order.

JACOB D. SEIPEL
Respondent
4245 South Ravinia Drive
Greenfield, WI 53221

Date

JOE H. SEIPEL
Respondent
508 2ND Avenue South
Great Falls, MT 59405

Date

MARK A. HERMAN
Attorney, Division of Enforcement
1400 East Washington Avenue
Madison, WI 53708-8935

Date