

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**
GARY D. LUSZ, : LS0801253RHI
RESPONDENT. :

Division of Enforcement case file 07 RHI 006

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

Gary Lusz
W2736 County Road J
East Troy, WI 53120

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 Wisconsin Department of Regulation and Licensing. The Secretary or her designee has reviewed this Stipulation and considers it acceptable. Accordingly, the Department adopts the attached Stipulation in this matter and makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Gary D. Lusz is registered in the State of Wisconsin as a Home Inspector having registration number 106-968, first granted on August 25, 2000.
2. Mr. Lusz’s most recent address on file with the Department of Regulation and Licensing (“Department”) is W2736 County Road J, East Troy, WI 53120.
3. Mr. Lusz’s Home Inspector’s registration expired on January 1, 2007.
4. Mr. Lusz continued to practice as a Home Inspector after his registration expired, until October 31, 2007, when he received an investigative query from the Department in this matter and became aware of his expired status. During the period from January 1, 2007 to October 31, 2007, Mr. Lusz conducted 25 home inspections.
5. Mr. Lusz ceased practice as a Home Inspector on October 31, 2007.
6. Mr. Lusz renewed his Home Inspector’s registration on December 14, 2007 after he was informed by a Departmental Investigator that he was eligible to reinstate his registration.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to section 440.978 of the Wisconsin Statutes and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
2. Respondent Gary D. Lusz is subject to discipline for violating section 440.9712 (1), Wis. Stats., by acting as a Home Inspector without being registered.

ORDER

NOW, THEREFORE, IT IS ORDERED that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED that the Respondent, Gary D. Lusz, is hereby REPRIMANDED.

IT IS FURTHER ORDERED that Gary D. Lusz pay the Department’s costs of this matter in the amount of **\$356.12** within 60 days of the date of this Order. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to the to the following address:

Department Monitor
Department of Regulation and Licensing,
PO Box 8935, Madison, WI 53708-8935.
Fax (608) 266-2264
Tel. (608) 261-7904

In the event Mr. Lusz fails to pay the costs within the time and in the manner as set forth above, his Home Inspector’s registration shall be suspended without further notice, without further hearing, and without further Order of the Board, and said suspension shall continue until the full amount of said costs have been paid to the Department of Regulation and Licensing.

IT IS FURTHER ORDERED that file 07 RHI 006 be closed.

Dated this 25th day of January, 2008.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Celia M. Jackson, Secretary