

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST
RICHARD L. VOLGREN,
RESPONDENT.

:
:
: **FINAL DECISION AND ORDER**
: LS0802214REB
:

Division of Enforcement case file 07 REB 214

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

Richard L. Volgren
312 Main St.
Balsam Lake, WI 54810

Wisconsin Real Estate 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 disposition of this matter, subject to the approval of the Wisconsin Real Estate Board ("Board"). The Board has reviewed this Stipulation and considers it acceptable. Accordingly, the Board adopts the attached Stipulation in this matter and makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Richard L. Volgren is licensed in the State of Wisconsin as a Real Estate Broker having license #90-32206, first granted on June 11, 1984. Mr. Volgren's most recent address on file with the Department of Regulation and Licensing ("Department") is 312 Balsam Lake, WI 54810.
2. Departmental Auditor Gene Kleinert conducted an audit of the real estate trust account for Richard L. Volgren d/b/a Balsam Lake Realty on two dates, June 27, 2007 and September 19, 2007.
3. As of June 27, 2007 and September 19, 2007, Mr. Volgren had not properly maintained the required trust account journal and ledger, and he had not performed required bank reconciliations, trial balances and validations.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to section 452.14 (3) of the Wisconsin Statutes and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
2. Respondent Richard L. Volgren violated
 - sec. RL 18.13 (1), Wis. Admin. Code by not maintaining the required trust account journal,
 - sec. RL 18.13 (2), Wis. Admin. Code by not maintaining the required trust account ledger,

- sec. RL 18.13 (3), Wis. Admin. Code by not performing required bank reconciliations,
 - sec. RL 18.13 (4), Wis. Admin. Code by not performing required trial balances, and
 - sec. RL 18.13 (3), Wis. Admin. Code by not performing required validations,
- and he is therefore subject to discipline.

ORDER

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

IT IS FURTHER ORDERED that Richard L. Volgren is hereby reprimanded.

IT IS FURTHER ORDERED that within six months of the date of this Order, Mr. Volgren must successfully complete the module on Trust Accounts, Escrow and Closing Statements of the broker's pre-licensure course at an educational institution approved by the Department of Regulation and Licensing. Mr. Volgren shall submit proof of successful completion in the form of verification from the institution providing the education 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

None of the education completed pursuant to this order may be used to satisfy any continuing education requirements that are or may be instituted by the Board or the Department of Regulation and Licensing. In the event Mr. Volgren fails to successfully complete the educational requirements in the manner set forth, his Real Estate Brokers license shall be suspended without further hearing and without further Order of the Board, and said suspension shall continue until further Order of the Board or until he provides to the Department proof of completion of all said educational requirements.

IT IS FURTHER ORDERED that Mr. Volgren pay a forfeiture of **\$450** and the Department's costs of this matter in the amount of **\$311.52**. Payment of the forfeiture and costs shall be made 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 Department Monitor. In the event Mr. Volgren fails to pay the forfeiture and the costs within the time and in the manner as set forth above, his Real Estate Brokers license 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 the forfeiture and costs has been paid to the Department of Regulation and Licensing.

IT IS FURTHER ORDERED that file 07 REB 214 be closed.

Dated this 21st day of February, 2008.

WISCONSIN REAL ESTATE BOARD

By: Peter A. Sveum
A member of the Board