

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE :

DISCIPLINARY PROCEEDINGS

AGAINST

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:

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FINAL DECISION AND ORDER

LS0805235RSG

PROJECT SERVICE INC.,

RESPONDENT.

Division of Enforcement Files: 06 RSG 056

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Project Service Inc.
180 Traders Mine Road
Post Office Box 1016
Iron Mountain, Michigan 49801

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

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

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Project Service Inc., is duly licensed as a Private Detective Agency in the state of Wisconsin (Permit #62-15978) by the Wisconsin Department of Regulation and Licensing (hereinafter Department). That Private Detective Agency license was first issued on May 11, 1999, and that license is current through August 31, 2008. Project Service Inc.'s last reported address to the Department is 180 Traders Mine Road, Post Office Box 1016, Iron Mountain, Michigan 49801.

2. The Department has learned from business records supplied by Project Service, Inc., that Project Service, Inc., had from 2003 through 2006, employed approximately 35 persons to perform duties as Private Security guards prior to those persons being licensed as private security persons by the state of Wisconsin.

3. In resolution of this matter, Project Service Inc., consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. sec. 227.44(5).

2. By the conduct referred to in above Findings of Fact, Project Service Inc., has violated:

a. Wis. Stat. Sec. 440.26(6)(a)2. The Department may limit, suspend, revoke

or reprimand a credential holder who has engaged in conduct reflecting adversely on his or her professional qualification.

- b. Wis. Stat. Sec. 440.26(6)(a)4. The Department may limit, suspend, revoke or reprimand a credential holder who has violated this section or any rule promulgated or order issued under this section.
- c. Wis. Admin. Code § RL 35.01(9). The department may deny an application for renewal, limit, suspend or revoke a credential, or reprimand a credential holder upon proof that the credential holder or any owner of an agency has engaged in conduct reflecting adversely on professional qualification. Conduct reflecting adversely on professional qualification includes, but is not limited to, any of the following:
 - (9). Violating any rule in chs. RL 30 to 35.
- d. Wis. Admin. Code § RL 35.01(13). The department may deny an application for renewal, limit, suspend or revoke a credential, or reprimand a credential holder upon proof that the credential holder or any owner of an agency has engaged in conduct reflecting adversely on professional qualification. Conduct reflecting adversely on professional qualification includes, but is not limited to, any of the following:
 - (13). Assigning any person to perform private detective or security personnel duties who has not been issued a license or permit prior to performing the services or who has not properly notified the department of an employment transfer pursuant to s. RL 32.05.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that the private security permit issued to Project Service Inc., (permit number 62-15978) shall be **REPRIMANDED**.

IT IS FURTHER ORDERED that Project Service Inc., shall pay costs in the amount of THREE HUNDRED SEVENTY-FIVE dollars (\$375.00) in this matter.

All payments shall be submitted within 90 days from 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:

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

This Order shall become effective upon the date of its signing.

THE DEPARTMENT OF REGULATION AND LICENSING

By Celia M. Jackson
Secretary

5/23/08

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE :

DISCIPLINARY PROCEEDINGS

AGAINST

:

:

:

STIPULATION

LS#08 _____ RSG

PROJECT SERVICE INC.,

RESPONDENT.

:

:

Division of Enforcement Files: 06 RSG 056

It is hereby stipulated between Project Service Inc., and Claudia Berry Miran, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Project Service Inc.'s licensure by the Division of Enforcement (06 RSG 056). Project Service Inc., consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.
2. Project Service Inc., understands 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 by a 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 other provisions of state or federal law.
3. Project Service Inc., has been provided the opportunity to obtain legal counsel prior to signing this Stipulation.
4. Project Service Inc., agrees to the adoption of the attached Final Decision and Order by the Department of Regulation and Licensing (Department). 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. Project Service Inc., waives all rights to any appeal of the Department's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Department, 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 the Stipulation is not accepted by the Department, the parties agree not to contend that the Department 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 may appear before the Department in open or closed session, without the presence of Project Service Inc., or their attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with the Department's deliberations on the Stipulation.
7. Project Service Inc., is informed that should the Department adopt this Stipulation, the Department'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 Project Service Inc., in recommending the Department of Regulation and Licensing adopt this Stipulation and issue the attached Final Decision and Order.

Project Service Inc.
Respondent
180 Traders Mine Road
Post Office Box 1016
Iron Mountain, Michigan 49801
License Number 62-15978

Date

Claudia Berry Miran
Attorney
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

Date