

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	:	FINAL DECISION AND ORDER
	:	
LEON R. PIESCHEK and PIESCHEK	:	LS0810309RSG
PROTECTIVE SERVICES LTD.,	:	
RESPONDENTS.	:	

Division of Enforcement Case # 06 RSG 064

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

Leon R. Pieschek
1960 August Street
Green Bay, Wisconsin 54302

Pieschek Protective Services Ltd.
1960 August Street
Green Bay, Wisconsin 54302

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

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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 this matter, subject to the approval of the Department of Regulation and Licensing (Department). The Department has reviewed the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Leon R. Pieschek (DOB 08/01/1940) is duly licensed as a private detective in the state of Wisconsin (license # 8922-63). This license was first granted on December 1, 1992, and is current through August 31, 2010.
2. Pieschek Protective Services Ltd. is duly licensed as a private detective agency in the state of Wisconsin (license # 15602-62). This license was first granted on August 15, 1995, and is current through August 31, 2009.
3. Respondents' most recent address on file with the Department is 1960 August Street, Green Bay, Wisconsin 54302.
4. Richard J. Case worked as a security guard for Pieschek Protective Services Ltd. on October 18 and 19, 2006, after Case's security guard permit had expired.
5. Robert D. Farris worked as a security guard for Pieschek Protective Services Ltd. on numerous occasions after Farris' security guard permit had expired.
6. Roman V. Ustimenko worked as a security guard for Pieschek Protective Services Ltd. on numerous occasions after Ustimenko's security guard temporary permit had expired and before Ustimenko's regular security guard permit was issued.
7. Michelle A. VanCalster worked as a security guard for Pieschek Protective Services Ltd. on numerous occasions after

VanCalster's security guard permit had expired.

8. Vadim V. Viznyak worked as a security guard for Pieschek Protective Services Ltd. on two occasions after Viznyak's security guard permit had expired.
9. Pieschek Protective Services Ltd. never gave the Department notification of the termination of nine (9) guards from 2002 through 2006.
10. In resolution of this matter, Leon R. Pieschek and Pieschek Protective Services Ltd. consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26 (6), and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stats. § 227.44 (5).
2. Wis. Administrative Code §RL 35.01 (13) provides that 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 is conduct reflecting adversely on professional qualification.
3. By the conduct described in paragraphs 4 through 8 in the Findings of Fact, Respondents engaged in conduct reflecting adversely on professional qualification.
4. Wis. Administrative Code § RL 32.06 (2) requires a private detective agency to notify the Department in writing within five (5) days after the termination of employment of a private security person.
5. Wis. Admin. Code § RL 35.01(9) provides that violating any rule in chs. RL 30 to 35 is conduct reflecting adversely on professional qualification.
6. By the conduct described in paragraph 9 of the Findings of Facts, Respondents engaged in conduct reflecting adversely on professional qualification.
7. Wis. Stat. §. 440.26 (6) (a) 2. states that the Department may limit, suspend, revoke or reprimand a credential holder who engaged in conduct reflecting adversely on his or her professional qualification.
8. Wis. Stat. § 440.26 (6) (a) 4. states that the Department may limit, suspend, revoke or reprimand a credential holder who has violated § 440.26 or any rule promulgated or order issued under § 440.26.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The private detective license of Leon R. Pieschek (license #8922-63) is **REPRIMANDED**.
2. The private detective agency license issued to Pieschek Protective services Ltd. (license # 15602-62) is **REPRIMANDED**.
3. Leon R. Pieschek and Pieschek Protective Services Ltd. shall, within one hundred twenty (120) days from the date of this order, pay costs in the amount of SIX HUNDRED FIFTY dollars (\$650.00) in this matter. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P. O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
FAX (608) 266-2264

4. Pieschek Protective Services Ltd. shall, until September 1, 2010, submit on a quarterly basis a complete accounting (by full name and private security permit number) of **all persons employed as security guards** by Pieschek Protective Services Ltd. during the preceding three-month reporting period. Pieschek Protective Services Ltd. shall also account (by full name and private security permit number) for all terminations of security guards during the preceding three-month reporting period. Pieschek Protective Services Ltd. shall promptly reply to any questions that the Department may have concerning the quarterly accounting within fifteen [15] days of a request by the Department for information. Pieschek

Protective Services Ltd.. shall be responsible for all costs associated with the quarterly accounting.

Any report ordered to be submitted under this Order shall be forwarded to the Department Monitor.

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 the license (# 15602-62) of Pieschek Protective Services Ltd. The Department in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Pieschek Protective Services Ltd. fails to submit fails to pay costs as ordered or fails to comply with the ordered reporting, Respondent's private detective agency license SHALL BE SUSPENDED, without further notice or hearing until Pieschek Protective Services Ltd. has complied with the terms of this Order.**
6. This Order is effective on the date of its signing

By: Celia M. Jackson, Secretary

10/30/08