

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
	:	
MICHAEL J. DAVIS, SR., AND,	:	:Case # LS0901092RSG
ANGELS DETECTIVE AGENCY, INC.,	:	
RESPONDENTS.	:	

Division of Enforcement Case # 04 RSG 018

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

Michael J. Davis, Senior
Angels Detective Agency, Inc.
8037 West Beechwood Avenue
Milwaukee, WI 53223

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

Department of Regulation and Licensing
1400 East Washington Avenue
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. Michael J. Davis, Sr., (DOB 03/24/1952) is duly licensed as a security guard in the state of Wisconsin (license # 5345-108). This license was first granted on July 1, 1997, and is current through August 31, 2010.
2. Angels Detective Agency, Inc. (Agency), is a corporation licensed as a private detective agency in the state of Wisconsin (license # 15909-62). The license was granted on September 9, 1998, and is current through August 31, 2009. Michael J. Davis, Sr., is the sole shareholder in the corporation.
3. Respondents’ most recent address on file with the Department of Regulation and Licensing is 8037 West Beechwood Avenue, Milwaukee, WI 53223.
4. At all times relevant to this action, Respondents were providing security services to Silver Mill Management Corporation, LLC (SMMC), d/b/a Silver Mill Mall (Mall), 6101 North Teutonia Avenue, Milwaukee, WI 53209.
5. Although Respondents provide security services to SMMC at Mall, they do not have a written contract with SMMC regarding those services.
6. It appears from Mall security guard login sheets that between June 1, 2004, and June 14, 2004, Respondents assigned Tracy L. Davis, Michael J. Davis, Jr., Vera L. Davis and Dashon M. Parker to work as security guards at Mall. None of those individuals possessed a private security guard permit until June 14, 2004.
7. Between March 8, 2005, and April 4, 2005, the license of Respondent Agency was in “Hold” status because Agency

had not filed an annual report as required by the Department of Financial Institutions.

8. Respondents provided security services at Mall while the license was in “Hold” status.
9. Between December 9, 2005, and September 5, 2006, Respondent Agency did not have an insurance policy meeting the requirements of statute. Agency’s license was therefore in “Hold” status.
10. Respondents provided security services at Mall every day between December 9, 2005, and September 5, 2006.
11. Respondents billed SMMC for a total of 4,050.6 hours of security services provided during the period when it did not have insurance in force. SMMC paid those invoices.

CONCLUSIONS OF LAW

1. 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. Respondents’ failure to enter into a written agreement with SMMC before providing services to SMMC is a violation of Wis. Administrative Code § RL 33.06 (1) and is deemed conduct reflecting adversely on professional qualification by Wis. Administrative Code § RL 35.01 (12m).
3. Respondents’ assigning individuals to perform security personnel duties before the individuals were issued licenses as security personnel is a violation of Wis. Administrative Code § RL 35.01 (13) and is deemed conduct reflecting adversely on professional qualification.
4. Respondents’ failure to maintain a liability insurance policy for the period of licensure between December 9, 2005, and September 5, 2006, is a violation of Wis. Administrative Code § RL 35.01 (11) and is deemed conduct reflecting adversely on professional qualification.
5. Wis. Stat. § 440.26 (6) permits Department to reprimand the holder of a license or permit issued under § 440.26 or to revoke, suspend or limit the license or permit of any person who has violated § 440.26 or any rule promulgated or order issued under § 440.26.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The license (#15909-62) of Angels Detective Agency, Inc., to practice as a private detective agency and supplier of security personnel in the State of Wisconsin is hereby **reprimanded**.
2. The permit (#5345-108) of Michael J. Davis, Sr., to practice as a private security officer in the State of Wisconsin is hereby **reprimanded**.
3. Respondents shall pay a total of \$1000 toward the costs of this proceeding. Payment shall be submitted on the following payment schedule:

Date	Amount
March 30, 2009	\$125.00
June 30, 2009	\$125.00
September 30, 2009	\$125.00
December 30, 2009	\$125.00
March 30, 2010	\$125.00
June 30, 2010	\$125.00
September 30, 2010	\$125.00
December 30, 2010	\$125.00

The full amount of the forfeiture and costs may be paid at any time prior to each due date for payment.

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, WI 53708-8935
608-267-3817
FAX (608) 266-2264

4. **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' license and permit. 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 Respondents fail to submit timely any payment of costs as set forth above, Respondents' license and permit (##15909-62 and 5345-108) SHALL BE SUSPENDED, without further notice or hearing until Respondents have complied with the terms of this Order.**
5. This Order is effective on the date of its signing.

By: Celia M. Jackson, Secretary

1/9/09