

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
:
:
STERLING SECURITY, : LS0901161RSG
RESPONDENT. :

Division of Enforcement File: 04 RSG 024

The parties to this action for the purpose of Wis. Stat. §227.53 are:

Sterling Security
2559 Woodridge Lane
Green Bay, WI 54304

Department of Regulation and Licensing
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 Department of Regulation and Licensing (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. **Sterling Security**, was issued a Private Detective Agency license in the state of Wisconsin, license number 62-15675, on April 1, 1996. That license is current through August 31, 2009. Sterling Security’s address on file with the Department of Regulation and Licensing is 2559 Woodridge Lane, Green Bay, Wisconsin 54304. Department records indicate that the owner of Sterling Security is Mitchell Hyde.
2. On June 18, 2004, Sterling Security e-mailed a proposal to the Washington County Fair Board for security services to be rendered on July 23-27, 2004 at the Washington County Fair.
3. On or about July 23-27, 2004, Sterling Security had eleven employees provide “show security” services for the Washington Country Fair including overnight patrol, stage security and security of the fairgrounds. The employees providing the security services on these dates did not hold private security permits.
4. Sterling Security did not enter into a written contract with the Washington County Fair Board prior to providing services.

5. Department records demonstrate that Sterling Security had lapses in liability insurance coverage from March 1, 2004 to August 24, 2004, August 15, 2005 to June 21, 2006, and from October 16, 2006 to December 18, 2006

CONCLUSIONS OF LAW

1. The State of Wisconsin Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By failing to enter into a written contract for the services provided to the Washington County Fair Board, Sterling Security has violated Wis. Admin. Code § RL 33.06(1) which requires that “a private detective agency shall enter into a written agreement with a client before providing services to the client” and requires the written agreement contain certain specified terms.

3. By providing unlicensed persons to perform security work for the Washington County Fair on or about July 23-27, 2004, Sterling Security has violated Wis. Stat. § 440.26(1)(a) and Wis. Admin. Code § RL 35.01(13), which make it unprofessional conduct for a private detective agency to assign “any person to work as security personnel who has not been issued a permit.”

4. By failing to maintain a liability policy without lapses in coverage, Sterling Security has violated Wis. Admin. Code § RL 31.034(1), which provide that a “private detective agency shall obtain and maintain a surety bond or liability policy as required under s. 440.26(4), Stats.” Sterling Security has also violated Wis. Admin. Code § RL 31.034(2), which provides that “[e]ach licensee shall maintain without lapse in coverage the bond or comprehensive general liability policy submitted to the department before the issuance of an original or renewal license.”

5. Based on the above-mentioned violations, Sterling Security has engaged in conduct reflecting adversely on its professional qualification pursuant to Wis. Admin. Code §§ RL 35.01(intro), 35.01(9), 35.01(11), 35.01(12m), 35.01(13), and is subject to discipline under Wis. Stat. § 440.26(6)(a)2 and (a)4 and Wis. Admin. Code § RL 35.01(intro).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Private Detective Agency License (#62-15675) of **Sterling Security** is **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. **Sterling Security**, shall, within 120 days of the date of this Order, pay **COSTS** of this proceeding in the amount of SEVEN HUNDRED DOLLARS (\$ 700.00).

3. Payment of costs, shall be made by certified check or money order, 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. 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 Respondent's license. In its discretion the Department may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

5. This Order is effective on the date of its signing.

Dated at Madison, Wisconsin this 16th day of January, 2009.

Celia M. Jackson
Secretary, Department of Regulation and Licensing