

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD

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IN THE MATTER OF THE :  
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER  
:  
RICK J. ROLOFF, : LS0906252REB  
RESPONDENT. :

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Division of Enforcement Case Number 09 REB 041

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

Rick J. Roloff  
Respondent  
W291 N2185 Elmhurst Drive  
Pewaukee, WI 53072

Real Estate Board  
c/o 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 Division of Enforcement, Department of Regulation and Licensing (Department), has opened an investigation against Respondent. The parties in this matter agree to the terms and conditions of this Final Decision and Order and the attached Stipulation as the final disposition of this matter, subject to the approval of the Real Estate Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Rick J. Roloff (Roloff), whose date of birth is January 29, 1951, is licensed to practice as a real estate salesperson (#94-72893) in the State of Wisconsin, which was first granted on February 3, 2009, and which will expire on December 15, 2010. Mr. Roloff's last address reported to the Department of Regulation and Licensing is W291 N2185 Elmhurst Drive, Pewaukee, WI 53072.

2. Mr. Roloff wishes to resolve this matter by voluntarily surrendering his license.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 452.14.

2. The Wisconsin Real Estate Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44 (5).

WHEREFORE, the Department of Regulation and Licensing makes the following:

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The offer of **Rick J. Roloff** to **VOLUNTARILY SURRENDER** his license as a real estate salesperson (#94-72893) shall be, and hereby is, **ACCEPTED**. Mr. Roloff shall return all indicia of licensure, which are currently in his possession, to the Department of Regulation and Licensing within twenty (20) days of the date of signing of this Order. Mr. Roloff acknowledges and agrees that in the event that Mr. Roloff applies for any license administered by the Department of Regulation and Licensing he shall reference this file number on the application, and the contents of this file may be considered.

IT IS FURTHER ORDERED that:

2. **Rick J. Roloff** shall pay costs of these investigations in the amount of TWO HUNDRED DOLLARS (\$200.00). Costs shall be immediately due and owing on the date that the Department of Regulation and Licensing receives any application for any license administered by the Department.

3. Payment of costs and other submissions required by this Order shall be mailed, delivered or otherwise transmitted to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 261-7904, Fax (608) 266-2264

4. Case number 09 REB 041 is hereby closed.

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

WISCONSIN REAL ESTATE BOARD

By: Peter Sveum  
A Member of the Board

6/24/09  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE BOARD

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IN THE MATTER OF THE	:	
DISCIPLINARY PROCEEDINGS AGAINST :	:	STIPULATION
	:	
RICK J. ROLOFF,	:	LS# _____ REB
RESPONDENT.	:	

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Division of Enforcement Case Number 09 REB 041

It is hereby stipulated and agreed, by and between Rick J. Roloff, Respondent; David P. Geraghty and Mark A. Herman, Attorney for Complainant, State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Respondent’s licensure by the Division of Enforcement (Case No. 09 REB 041). Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided with the opportunity to seek legal counsel prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Real Estate Board. 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. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Real Estate Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board’s deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
7. Respondent is informed that should the Board adopt this Stipulation, the Board’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 Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

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Rick J. Roloff, Respondent  
W291 N2185 Elmhurst Drive  
Pewaukee, WI 53072

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Date

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David P. Geraghty, Darnieder &  
Geraghty, Attorneys for Respondent  
735 North Water Street #930  
Milwaukee, WI 53202-4105

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Date

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

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Date