

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER  
:  
PER MAR SECURITY & RESEARCH CORP., : LS0907091RSG  
RESPONDENT. :

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Division of Enforcement Case File # 06 RSG 003

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

Per Mar Security & Research Corp.  
1910 E. Kimberly Road  
P.O. Box 4227  
Davenport, IA 52807

Department of Regulation and Licensing  
Office of the Secretary  
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 Secretary of the Wisconsin Department of Regulation and Licensing (Secretary). The Secretary has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Per Mar Security & Research Corp. (Respondent) is licensed in the state of Wisconsin as a Private Detective Agency, license # 62-4975. This license was first granted to Per Mar Security & Research Corp. on 02/27/1978 and is current through 08/31/2009.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Per Mar Security & Research Corp. is 1910 East Kimberly Road, Post Office Box 4227, Davenport, IA 52807.

3. On or about January 11, 2006, the Wisconsin Department of Regulation and Licensing received a complaint that Per Mar Security & Research Corp. had failed to file termination/employment reports with the department, thereby failing to keep its employee listing up to date with the department. A case was subsequently opened for investigation.

4. The investigation revealed that Per Mar Security & Research Corp. failed to timely file employment/termination reports for at least seven employees in 2005 and 2006.

5. The investigation revealed that Per Mar Security & Research Corp. hired Jason Marchel (license # 108-19135) on May 19, 2006. Mr. Marchel's license expired on September 1, 2004 and wasn't renewed until June 22, 2006. Per Mar Security & Research Corp.'s records show that a client was billed for 95 hours of Mr. Marchel's time between June 6, 2006 and June 21, 2006.

6. The investigation revealed that Per Mar Security & Research Corp. had gaps in the required proof of insurance policy or bond in the company's license history from January 5, 2006 to April 19, 2006, from January 4, 2005 to January 18, 2005 and from March 5, 2001 to March 23, 2001. During these time periods, Per Mar Security & Research Corp.'s license was in "Hold" status, rather than "Active" status.

7. In resolution of this matter, Per Mar Security & Research Corp. consents to the entry of the following Conclusions of Law and Order.

### CONCLUSIONS OF LAW

1. The Department of Regulation and Licensing has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26 (6).

2. The Department of Regulation and Licensing is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44 (5).

3. By the conduct described in paragraph 4 of the Findings of Fact, Per Mar Security & Research Corp. has violated Wis. Stat. § 440.26(5) and Wis. Admin. Code §§ RL 32.05 and 32.06 by failing to notify the department in writing within 5 days of any change in the information which the agency has provided to the department, by failing to notify the department in writing within 5 days after the termination of employment of a private security person, and by failing to provide the department with an up-to-date record of its employees. Therefore, Per Mar Security & Research Corp. is subject to discipline.

4. By the conduct described in paragraph 5 of the Findings of Fact, Per Mar Security & Research Corp. has violated Wis. Admin. Code § RL 35.01(13) by assigning Jason Marchel to perform private security duties when Mr. Marchel's private security person license was expired.

5. By the conduct described in paragraph 5 of the Findings of Fact, Per Mar Security & Research Corp. has violated Wis. Stat. § 440.26 and Wis. Admin. Code § RL 35.01(11) by failing to maintain a bond or liability policy for the period of licensure.

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Per Mar Security & Research Corp. be, and hereby is, REPRIMANDED and LIMITED as follows:

Per Mar Security & Research Corp. shall for one year submit on a quarterly basis, as directed by the Department Monitor, a complete accounting (by full name, private security permit number and dates of employment) of **all person: employed as security guards** by Per Mar Security & Research Corp. during the preceding three-month reporting period. Per Mar Security & Research Corp. shall also account (by full name and private security permit number and dates of employment) all terminations of security guards during the preceding three-month reporting period. Per Mar Security & Research Corp. shall promptly reply to any questions that the Department of Regulation and Licensing may have concerning the quarterly accounting within fifteen [15] days of a request by the Department of Regulation and Licensing. Per Mar Security & Research Corp. shall be responsible for all costs associated with the quarterly accounting.

IT IS FURTHER ORDERED that:

2. Respondent Per Mar Security & Research Corp. shall pay costs of the investigation and prosecution of this matter in the amount of ONE THOUSAND SEVEN HUNDRED DOLLARS (\$1,700.00) within ninety (90) days of the date of signing of this Order.

3. All submissions of reports and payment of costs shall be mailed, faxed, delivered or otherwise transmitted to:

Department Monitor  
Division of Enforcement  
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. 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 that Respondent fails to timely submit any payment of costs as set forth above or fails to timely submit the ordered reports, Respondent's private detective agency license (# 62-4975) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

5. Case number 06 RSG 003 is hereby closed.

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

Dated this 8<sup>th</sup> day of July, 2009.

STATE OF WISCONSIN, DEPARTMENT OF REGULATION AND LICENSING

By: Secretary Celia M. Jackson