

# 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 :  
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER  
:  
FREDERICK J. HANEY, : LS 0908053 REB  
RESPONDENT :

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Division of Enforcement Case File # 06 REB 062

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

Frederick J. Haney  
6626 N. Bourbon Street, #8  
Milwaukee, Wisconsin 53224

Real Estate Board  
P.O. Box 8935  
Madison, WI 53707-8935

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 Board. A formal complaint has also been issued in this matter prior to a Stipulation being entered into by Respondent and Division of Enforcement for the Department of Regulation and Licensing. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Respondent Frederick J. Haney is licensed in the State of Wisconsin as a Real Estate Broker, license # 90-37178. This license was first granted to him on 03/07/1986 and is current through 12/14/2010. The most recent address on file with the Department of Regulation and Licensing for Mr. Haney is: 6626 N. Bourbon Street, #8, Milwaukee, Wisconsin 53224.

2. On March 22, 2006, a complaint was received by the Wisconsin Department of Regulation and Licensing (Department) alleging that Respondent Haney prepared a quit claim deed without proper authority and that the transfer of property resulted in the current owner being left with debt from the prior owner.

3. During the course of the investigation, a Department investigator sent Mr. Haney two requests for copies of all documents relating to the transaction in question. These letters were sent on January 18, 2008 and March 22, 2008. Mr. Haney failed to provide the Department with the requested documents. These requests were made during the three year period from when the transaction took place.

4. During the course of the investigation, Mr. Haney sent a letter to the Department in which he admitted to drafting a quit claim deed and offering advice in regards to title insurance options.

### CONCLUSIONS OF LAW

1. The Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent Frederick J. Haney has violated Wis. Admin. Code RL § 15.04 by failing to maintain records from a real estate transaction for at least three years.

3. As a result, Respondent Frederick J. Haney is subject to discipline pursuant to Wis. Admin. Code § RL 24.01(3) and Wis. Stat. § 452.14(3)(i).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Frederick J. Haney (license # 90-37178) is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent Frederick J. Haney shall pay COSTS in the amount of ONE HUNDRED FIFTY DOLLARS (\$150.00) within 90 days of the date of this Order and a FORFEITURE in the amount of ONE HUNDRED FIFTY DOLLARS (\$150.00) within 120 days of the date of this Order.

3. 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  
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. The Board 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 Respondent fails to timely submit any payment as ordered, then the Respondent's license SHALL BE SUSPENDED without further notice or hearing until Respondent has complied with the terms of this Order.

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

IT IS FURTHER ORDERED that file 06 REB 062 is hereby closed.

Dated this 29<sup>th</sup> day of October, 2009.

WISCONSIN REAL ESTATE BOARD

By: Peter A. Sveum