

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : AMENDED
 : FINAL DECISION AND ORDER
 :
JEFFREY M. MAU. : LS09082013REB
JOANN B. MAU. :
JOHN R. MAU. :
MAU REALTY INCORPORATED :
D/B/A MAU BUILDERS. :
RESPONDENTS. :
 :

[Division of Enforcement Case File #: 06 REB 273]

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

Jeffrey M. Mau
350 County Road CE
Kaukauna, WI 54130

Joann B. Mau
350 County Road CE
Kaukauna, WI 54130

John R. Mau
350 County Road CE
Kaukauna, WI 54130

Mau Realty, D/B/A Mau Builders
350 County Road CE
Kaukauna, WI 54130

Wisconsin Real Estate Board
P.O. Box 8935
Madison, WI 53708

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 Wisconsin Real Estate Board (“Board”). 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. Jeffrey M. Mau, date of birth: 12/07/69, is licensed in the State of Wisconsin as a real estate salesperson having license #94-69192. This license was first granted on 01/12/07. Previously, Mr. Jeffrey Mau held another real estate salesperson license (#094-37211; granted: 04/27/92; expired: 12/31/00).
2. Mr. Jeffrey Mau's last reported business address on file with the Department of Regulation and Licensing ("Department") is: 350 County Road CE, Kaukauna, Wisconsin 54130.
3. At all times relevant to the facts stated below, Mr. Jeffrey Mau was employed as a real estate agent and independent contractor with Mau Realty Incorporated, D/B/A Mau Builders ("Mau Realty"), (091-833518), located at 350 County Road CE, Kaukauna, Wisconsin 54130. This license was first granted to the business entity on 05/13/87.
4. As a licensed real estate salesperson, Mr. Jeffrey Mau was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes, Chapter 452 and the Wisconsin Administrative Code for Real Estate Practice RL Chapters 17 and 24.
5. Joann B. Mau, date of birth: 04/05/39, is licensed in the State of Wisconsin as a real estate broker with Mau Realty. Ms. Joann Mau's license number is #090-30472. This license was first granted on 01/30/75. Ms. Joann Mau's business address on file with the Department is: 350 County Road CE, Kaukauna, Wisconsin 54130.
6. Ms. Joann Mau is the President and Partner of Mau Realty. As a licensed real estate broker and Officer of Mau Realty, Ms. Joann Mau was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes, Chapter 452 and the Wisconsin Administrative Code for Real Estate Practice RL Chapters 17 and 24.
7. John R. Mau, date of birth: 01/29/39, is licensed in the State of Wisconsin as a real estate broker with Mau Realty. Mr. John Mau's license number is #090-30471. 8. This license was first granted on 01/30/75. Mr. John Mau's business address on file with the Department is: 350 County Road CE, Kaukauna, Wisconsin 54130.
9. Mr. John Mau is the Vice-President and Partner of Mau Realty. As a licensed real estate broker and Officer of Mau Realty, Mr. John Mau was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes, Chapter 452 and the Wisconsin Administrative Code for Real Estate Practice RL Chapters 17 and 24.
10. On December 15, 2006, Mr. John Mau notified the Department that Mr. Jeffrey Mau had moved several times over the last several years and may not have received his renewal notices. Mr. Jeffrey Mau's real estate salesperson's license #94-37211; granted: 04/27/92) had been placed into expired status since January 10, 2001. Mr. John Mau inquired about how to re-establish Mr. Jeff Mau's real estate license.
11. A Department inquiry into the renewal issue raised by Mr. John Mau was initiated and revealed that Mr. Jeffrey Mau had been receiving his renewal notices at the Mau Realty's company address. Based on the results from the inquiry, a Department investigation into the matter was opened against Mau Realty, Jeffrey Mau, John Mau, and Joann Mau.
12. The Department's investigation into the matter revealed Mr. Jeffrey Mau had failed to renew his license between January 10, 2001 and January 12, 2007.
13. The Department's investigation also revealed Mr. Jeffrey Mau continued to practice real estate during the period which his license was expired.
14. Due to Mr. Jeffrey Mau's license remaining in expired status for over a five year period, Mr. Jeffrey Mau satisfied Department requirements for re-licensure of his real estate license by taking the seventy-two (72) hour pre-licensure course in December 2006. Mr. Jeffrey Mau also passed the real estate salesperson's examination and submitted an application for re-lic

On January 12, 2007, Mr. Jeffrey Mau was granted a new real estate salesperson's license (#94-69192).

15. During the period in which Mr. Jeffrey Mau practiced with an expired license at Mau Realty, Mr. John Mau and Joann Mau were the responsible brokers of record and had the responsibility of ensuring that all licensees had active licenses to practice real estate.

16. In resolution of this matter, Mr. Jeffrey Mau, Mr. John R. Mau, Ms. Joann Mau, and Mau Realty Inc. consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14.
2. The Wisconsin Real Estate Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
3. Respondents John Mau and Joann Mau have violated:

Wis. Stat. §§ 452.12(3) and 452.14(3)(L); Wis. Admin. Code §§ RL 17.07 and 24.17(1)(3) by failing to adequately check licensure status of real estate agents who provided services on behalf of Mau Realty. By failing to adequately check licensure status of real agents at Mau Realty, Respondents John Mau and Joann Mau permitted Mr. Jeffrey Mau to engage in the unlicensed practice of real estate between January 10, 2001 and January 12, 2007.
4. Respondent Jeffrey Mau has violated:

Wis. Stats. §§ 452.03 and Wis. Stat. § 452.14(3)(L); 452.12(5)(b) and RL 24.17(1)(3) by providing real estate services with an expired license.
5. The violations of law by John Mau, Joann Mau, Jeffrey Mau, and Mau Realty constitutes negligent and unprofessional conduct.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED that Respondents, Jeffrey M. Mau (#94-69192); Joann B. Mau (#90-30472); John R. Mau (90-30471); and Mau Realty, Inc. (#91-833518) be, and hereby are **REPRIMANDED**.

IT IS FURTHER ORDERED that the Respondents, shall pay jointly and severally to the Department of Regulation and Licensing **COSTS** of **ONE THOUSAND DOLLARS (\$1,000.00)**.

IT IS FURTHER ORDERED that the Respondents, shall pay jointly and severally to the Department of Regulation and Licensing a **FORFEITURE** of **THREE THOUSAND DOLLARS (\$3,000.00)**.

IT IS FURTHER ORDERED, that a down payment of **ONE THOUSAND DOLLARS (\$1,000.00)** shall be submitted within sixty (60) days from the date of this order and six more payments of **FIVE HUNDRED DOLLARS (\$500.00)** will be

every ninety (90) days from the previous payment until the full **FOUR THOUSAND DOLLARS (\$4,000.00)** is paid. Payment shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent

**Department Monitor
Division of Enforcement
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P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
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IT IS FURTHER ORDERED that in the event the Respondents fail to pay the **FOUR THOUSAND DOLLARS (\$4,000.00)** in costs and forfeiture within the time and in the manner as set forth above, then and in that event, and without further notice to the Respondents, Jeffrey M. Mau, license #94-69192, John R. Mau, license #90-30471, Joann B. Mau, license #90-30472, and Mau Realty Inc., license #91-833518 shall be **SUSPENDED** without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs has been paid to the Department of Regulation and Licensing. Failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file **06 REB 273** be, and hereby is, closed as to all Respondents.

WISCONSIN REAL ESTATE BOARD

By: Peter Sveum, Board Chair

August 20, 2009