

# 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 REVOCATION  
OF THE LIMITED REAL ESTATE  
SALESPERSON'S LICENSE OF

TOBY A. MINETT,  
APPLICANT

ORDER REVOKING LIMITED  
SALESPERSON'S LICENSE

LS 0511231 REB

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Toby A. Minett  
8053 S. Kimbark Ave.  
Chicago, IL 60619

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Ave  
Madison, WI 53707

PROCEDURAL HISTORY

On February 28, 2001, the Wisconsin Department of Regulation and Licensing (Department) issued an Order Adopting Stipulation granting a limited real estate salesperson license to Toby A. Minett (Applicant). By Order dated October 1, 2002, the Department revoked the Applicant's license for failure to comply with the terms of the February 28, 2001 Order. Upon petition by the Applicant, the Department reviewed his record of compliance, and issued an Order Reinstating Limited Real Estate Salespersons License dated February 12, 2003. Between 2003 and 2009, the Applicant petitioned for removal of the limitation of his license. No such petitions were granted. This matter again came before the Department for compliance review as part of the Department's monitoring process. The Real Estate Board (Board) considered this matter at its October 28, 2010 board meeting. Based upon a review of the information received and the record in this matter, the Board makes the following:

FINDINGS OF FACT

1. The Department first issued the Applicant a limited real estate salesperson's license by Order dated February 28, 2001. That limited license was later revoked by an Order dated October 1, 2002, and subsequently reinstated pursuant to an Order dated February 12, 2003.
2. The February 12, 2003 Order Reinstating Limited Real Estate Salespersons License contained eight conditions the Applicant was required to comply with to keep his license. One condition, Paragraph 8, provides that any further criminal convictions or probation violation shall result in the revocation of the Applicant's license.

3. On July 13, 2009, the Applicant was convicted of a misdemeanor crime in the State of Wisconsin, Jefferson County Circuit Court.
4. On January 7, 2010, the Applicant plead guilty and was convicted of a misdemeanor crime in the State of Illinois, Cook County Circuit Court.
5. The February 13, 2003 Order requires the revocation of the Applicant's license if he is convicted of any crimes subsequent to the date of the Order.

#### CONCLUSIONS OF LAW

1. The Applicant's July 13, 2009 and January 7, 2010 criminal convictions violate the terms and conditions of his limited license.
2. The State of Wisconsin Department of Regulation and Licensing and the Real Estate Board have jurisdiction to act pursuant to the provisions of Chapters 440 and 452 of the Wisconsin Statutes and the Order Adopting Stipulation.
3. The Wisconsin Real Estate Board has authority to issue the following Order under Section 452.14 of the Wisconsin Statutes and the Order Adopting Stipulation.

#### ORDER

NOW THEREFORE, IT IS ORDERED THAT, Toby A. Minett's Limited Real Estate Salesperson's license is hereby revoked. Applicant Toby A. Minett shall cease and desist from acting as a real estate salesperson and from engaging in real estate activities in Wisconsin.

This Order is takes effect on the date it is signed.

Dated: December 15th, 2010

/s/ Stephen Beers  
Stephen Beers, Chair  
Wisconsin Real Estate Board

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