

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
R. KUEHL & ASSOCIATES, LLC,	:	<u>ORDER0000064</u>
RESPONDENT	:	

Division of Enforcement Case File # 09 REB 055

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

R. Kuehl & Associates, LLC
204 West Main Street
Waunakee, WI 53597

Wisconsin 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 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. Respondent R. Kuehl & Associates, LLC is licensed in the State of Wisconsin as a real estate business entity, license # 91-700049. This license was first granted on 01/17/1997 and is current through 12/14/2010.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for R. Kuehl & Associates, LLC is 204 West Main Street, Waunakee, WI 53597.

3. On May 6, 2009, Departmental Auditor Gene Kleinert conducted an audit of the real estate trust account for R. Kuehl & Associates, LLC.

4. The May 6, 2009 audit showed that R. Kuehl & Associates, LLC had not performed required trial balances and validation.

CONCLUSIONS OF LAW

1. The Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 45.214, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent R. Kuehl & Associates, LLC has violated Wis. Admin. Code RL § 18.13(4) by failing to perform trial balances.

3. Respondent R. Kuehl & Associates, LLC has violated Wis. Admin. Code RL § 18.13(5) by failing to perform validation.

4. As a result, Respondent R. Kuehl & Associates, LLC 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. Respondent R. Kuehl & Associates, LLC is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Respondent R. Kuehl & Associates, LLC shall pay COSTS in the amount of EIGHTY DOLLARS (\$80.00) and a forfeiture in the amount of TWO HUNDRED FIFTY (\$250.00) within 90 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

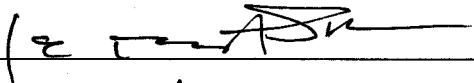
4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs and forfeiture as ordered and as set forth above, the Respondent's license (# 91-700049) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and forfeiture.

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

IT IS FURTHER ORDERED that file 09 REB 055 is hereby closed.

Dated this 18 day of Feb, 2010.

WISCONSIN REAL ESTATE BOARD

By: 
Peter A. Sveen