

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DRL website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE REAL ESTATE BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

HOME CONNECTION, INC., SANDRA L.
KOGUTKIEWICZ AND ELIZABETH FEUSTEL,
RESPONDENTS

:
:
: FINAL DECISION AND ORDER
: (AS TO HOME CONNECTION, INC.
: AND ELIZABETH FEUSTEL)
:
: ORDER 0000264

Division of Enforcement Case File # 07 REB 133

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

Home Connection, Inc.
929 N. Astor Street, Unit 1107
Milwaukee, WI 53202

Elizabeth Feustel
929 N. Astor Street, Unit 1107
Milwaukee, WI 53202

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

Wisconsin 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. Home Connection, Inc. (Respondent) is licensed in the state of Wisconsin as a Real Estate Business Entity, license # 91-835012. This license was first granted to Home Connection, Inc. on 05/28/1997 and is current through 12/14/2010.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Home Connection, Inc. 929 N. Astor Street, Unit 1107, Milwaukee, WI 53202.

3. Sandra L. Kogutkiewicz (Respondent) is licensed in the state of Wisconsin as a Real Estate Salesperson, license # 94-25333. This license was first granted to Ms. Kogutkiewicz on 11/05/1985 and is current through 12/14/2010.

4. The most recent address on file with the Department for Ms. Kogutkiewicz is 18920 Toldt Woods Dr., #16, Brookfield, WI 53045.

5. Elizabeth Feustel (Respondent) is licensed in the state of Wisconsin as a Real Estate Broker, license # 90-31329. This license was first granted to Ms. Feustel on 02/20/1984 and is current through 12/14/2010.

6. The most recent address on file with the Department for Ms. Feustel is 929 N. Astor Street, Unit 1107, Milwaukee, WI 53202.

7. On or about May 30, 2007, the Department received a complaint alleging that Sandra L. Kogutkiewicz was practicing real estate with an expired real estate license. A case was subsequently opened for investigation.

8. The Department's investigation revealed that Respondent Kogutkiewicz's real estate salesperson's license did lapse and go into expired status for approximately eight months in 2007 and three months in 2008-2009. The investigation revealed that Respondent Kogutkiewicz engaged in approximately six real estate listings and two sales during her license lapse in 2007 and she had approximately two listings and closings during the three month license lapse at the end of 2008 into early 2009.

9. The Department's investigation revealed that Respondent Kogutkiewicz worked at Home Connection, Inc. during her three month license lapse in 2008-2009 and Respondent Feustel was her supervising broker. Respondent Feustel was also the owner of Home Connection, Inc.

10. Pursuant to Wis. Admin. Code § RL 17.07, "A broker-employer shall, prior to employing a licensee and at the beginning of each biennial licensure period, determine that each licensee employed by the broker is properly licensed..."

11. The Department's investigation revealed that Home Connection, Inc.'s license was expired for more than two years, from January 1, 2007 until March 19, 2009. Respondent Feustel admitted that there were 49 transactions, 15 of which failed, during the unlicensed period of Home Connection, Inc.

12. In resolution of this matter, Respondents Home Connection, Inc. and Elizabeth Feustel 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, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in paragraphs 8-11 of the Findings of Facts, Respondents Home Connection, Inc. and Elizabeth Feustel have violated:

- a. Wis. Admin. Code § RL 17.07 by failing to ensure that each licensee employed by the broker-employer was properly licensed; and
- b. Wis. Stats. §§ 452.14(3)(i) and 452.12(2) by failing to ensure that the business entity was properly licensed.

3. As a result of the violations noted in paragraph 2 of the Conclusions of Law, Respondents Home Connection, Inc. and Elizabeth Feustel are subject to discipline pursuant to Wis. Admin. Code § RL 24.01(3) and Wis. Stat. § 452.14(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondents Home Connection, Inc. and Elizabeth Feustel be, and hereby are, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondents Home Connection, Inc. and Elizabeth Feustel shall pay COSTS in the amount of FOUR HUNDRED DOLLARS (\$400.00) and a FORFEITURE in the amount of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00).

3. A payment of FOUR HUNDRED DOLLARS (\$400.00) will be paid within thirty (30) days from the date of this Order and three more payments of FIVE HUNDRED DOLLARS (\$500.00) will be paid ninety (90) days from the previous payment due date until \$1,900.00 is paid in full.

4. 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

5. 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 Respondents' licenses. 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 Respondents fail to timely submit payment of the costs and forfeiture as ordered and as set forth above, the Respondents'

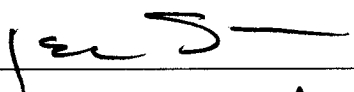
licenses (# 91-835012 and # 90-31329) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of the costs and forfeiture.

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

IT IS FURTHER ORDERED that file 07 REB 133 is hereby closed as to Respondents Home Connection, Inc. and Elizabeth Feustel.

Dated this 24 day of JUNE, 2010.

WISCONSIN REAL ESTATE BOARD

By: 
TERRELL A. SWEENEY