

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 :
 : FINAL DECISION AND ORDER
JOHN D. BLOSSOM, III, :
RESPONDENT. : ORDER 0000363

Division of Enforcement Case No. 09 REB 062

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

John D. Blossom, III
724 E. Main Street
Stoughton, WI 53589

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

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

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 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 and Conclusions of Law and Order:

FINDINGS OF FACT

1. **John D. Blossom, III** holds a certificate of licensure as a licensed real estate broker in the state of Wisconsin (#90-51818), which was first granted on 09/19/03, and is current through 12/15/10.
2. Mr. Blossom's most recent address on file with the Wisconsin Department of Regulation and Licensing is 724 E. Main Street, Stoughton, WI 53589.

3. Commencing on or about December 19, 2007, Mr. Blossom, through his real estate agency, Properties of Door County LLC, represented Allen S. Musikantow with regard to the sale of Mr. Musikantow's property located at 9531 Marshalls Point Road, Sister Bay, WI.

4. On or about May 5, 2009, Mr. Musikantow filed a complaint with the Wisconsin Department of Regulation and Licensing (the "Department") alleging, among other things, that Mr. Blossom improperly charged Mr. Musikantow for certain marketing costs related to the Marshalls Point Road property.

5. Mr. Blossom does not admit the alleged violations, but he does not wish to contest them. In order to resolve this pending disciplinary matter, Mr. Blossom and the Department stipulate to the following:

a. Mr. Blossom agrees to immediately cease the practice of real estate in the State of Wisconsin, and he shall not practice real estate in the State of Wisconsin during the remaining tenure of his licensure, which expires 12/15/2010.

b. Mr. Blossom agrees to allow his license to expire on 12/15/2010, and agrees not to re-apply for licensure for a period of two (2) years following the expiration of his license on 12/15/2010.

c. In the event that Mr. Blossom seeks to renew or reinstate his license following the two-year period specified at paragraph 5(b), he agrees to submit a new application for licensure and meet all then-existing requirements for licensure or certification.

CONCLUSION OF LAW

The Wisconsin Real Estate Board has authority to enter into the stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. John D. Blossom, III shall immediately cease the practice of real estate in the State of Wisconsin, and he shall not practice real estate in the State of Wisconsin during the remaining tenure of his licensure, which expires 12/15/2010. Mr. Blossom shall return all indicia of licensure to the Department upon his execution and return of the Stipulation attached hereto.

2. Mr. Blossom shall allow his license to expire on 12/15/2010, and shall not re-apply for licensure for a period of two (2) years following the expiration of his license on 12/15/2010.

3. Mr. Blossom shall not practice as a real estate salesperson or broker in the State of Wisconsin without being licensed in Wisconsin.

4. In the event that Mr. Blossom seeks to renew or reinstate his license, he shall submit a new application for licensure and meet all then-existing requirements for licensure or certification. The Department may determine whether and under what terms and conditions such renewal or reinstatement may be granted.

5. In the event that Mr. Blossom ever seeks to renew his license or apply for any other credential regulated by the Department, then he shall pay the Department's costs of this matter in the amount of \$2,586.00 before any such renewal or application may be considered.

6. 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 conditions and limitations or other discipline for a violation of any of the terms of this Order.

7. Case No. 09 REB 062 is hereby closed as to John D. Blossom, III.

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

WISCONSIN REAL ESTATE BOARD

by: *Lisabeth Weirich*
A Member of the Board

8/26/10
Date