

# 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](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE AUCTIONEER BOARD

---

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
CRAIG L. OTTO,	:	
RESPONDENT.	:	ORDER0000477

---

Division of Enforcement Case File Number 07 AUC 012

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

Craig L. Otto  
P.O. Box 530  
Fremont, WI 54940

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

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 Auctioneer 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 Craig L. Otto is licensed in the state of Wisconsin as an Auctioneer, having license number 52-109. This license was first granted to Mr. Otto on March 1, 1995 and it is current through December 14, 2010.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Craig L. Otto is P.O. Box 530, Fremont, WI 54940.

3. On or about July 2, 2007, the Department received a complaint that Craig L. Otto held an auction on September 3, 2006 and then failed to provide the money from the sale and an itemized list of his expenses to the clients. The complaint further alleged that Mr. Otto failed to sufficiently advertise for this auction. A case was subsequently opened for investigation.

4. On July 13, 2007, the Department sent Mr. Otto a letter requesting information related to this matter. Mr. Otto failed to respond to the letter.

5. On August 7, 2007, the Department sent Mr. Otto a letter requesting information related to this matter. Mr. Otto responded but failed to provide the requested documents.

6. On October 19, 2007, a Department Investigator sent Mr. Otto a letter requesting information relating to this matter. Mr. Otto responded but failed to provide the requested information.

7. On November 5, 2007, a Department Investigator sent Mr. Otto a letter requesting information relating to this matter. The letter was returned to the Department.

8. On February 19, 2009, a Department Investigator sent Mr. Otto a letter requesting information relating to this matter. Mr. Otto responded but failed to provide the requested documents.

9. In a signed letter dated August 2, 2007, the complainant and the clients of the September 3, 2006 auction indicate that the matter has been resolved to their satisfaction.

10. In resolution of this matter, Respondent Craig L. Otto consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Auctioneer Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 480.24, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent Craig L. Otto has violated Wis. Stat. § 480.18(3) by failing to, upon reasonable notice, make records requested by the department available for inspection and copying.

3. As a result of the violation noted in the Conclusions of Law, Respondent Craig L. Otto is subject to discipline pursuant to Wis. Stat. § 480.24(2).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Craig L. Otto is hereby REPRIMANDED.

2. Respondent Craig L. Otto shall pay COSTS in the amount of FOUR HUNDRED SEVENTY DOLLARS (\$470.00) 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 Otto's license (number 52-109). 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 Otto fails to timely submit payment of the costs as ordered and as set forth above, Respondent Otto's license (number 52-109) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent Otto has complied with payment of the costs.

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

IT IS FURTHER ORDERED that file 07 AUC 012 is hereby closed as to Respondent Craig L. Otto.

Dated this 19<sup>th</sup> day of October, 2010.

WISCONSIN AUCTIONEER BOARD

By: Pat McNamara  
