

# 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 DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
TIPPY K. STEEVENS AND	:	
BARABOO AREA REALTY INC.,	:	ORDER 0000504
RESPONDENTS.	:	

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Division of Enforcement Case No. 08 REB 206

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

Tippy K. Steevens  
323 Linn St.  
Baraboo, WI 53913

Baraboo Area Realty Inc.  
323 Linn St.  
Baraboo, WI 53913

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

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 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 Tippy K. Steevens is licensed in the State of Wisconsin as a Real Estate Broker, having license # 90-49254. This license was first granted to her on 2/2/1998 and is current through 12/14/2010. The most recent address on file with the Department of Regulation and Licensing for Ms. Steevens is 323 Linn St., Baraboo, WI 53913.
2. Respondent Baraboo Area Realty Inc. is licensed in the State of Wisconsin as a Real Estate Business Entity, having license # 91-835743. This license was first granted to it on 6/9/2004 and is current through 12/14/2010. The most recent address on file with the Department of Regulation and Licensing for Baraboo Area Realty Inc. is 323 Linn St., Baraboo, WI 53913.
3. The Department of Regulation and Licensing received a complaint on or about 12/4/2008 against Tippy K. Steevens and Baraboo Area Realty from David M. Frie regarding a real estate transaction.
4. Ms. Steevens is the owner and registered business representative of Baraboo Area Realty Inc. As the broker-owner, Ms. Steevens is responsible for the business operation of Baraboo Area Realty Inc. and for the supervision of its employees.
5. On 7/28/2006, an agent of Baraboo Area Realty, Sarah B. Estrella, executed a one year listing agreement with Seller Joseph Nixa for the sale of 40 acres of vacant land ("Nixa Property"). The listing agreement included a disclosure of real estate agency.
6. The term of the listing agreement was extended three times, first on 12/2/2006, again on 5/5/2007, and finally on 6/6/2007 to expire on 7/5/2007.
7. Upon expiration of the third extension on 7/5/2007, the Seller chose not to extend the listing agreement but stated orally that if Tippy K. Steevens was able to locate a buyer for the property, he would pay her a 4% commission on the sale.
8. On 12/10/2007, Ms. Steevens wrote an offer on the Nixa Property for potential buyers David and Casi Frie ("Fries"). Ms. Steevens executed an agency disclosure with the buyers, but failed to disclose whether she was the buyer's agent or the seller's agent on Line 51 of the disclosure. Ms. Steevens identified herself on the offer to purchase as an agent of the seller.
9. After three counter-offers, the sale was agreed upon and the seller signed the accepted counter-offer ("Counter-Offer 003") on 1/28/2008. Counter-offer 003 was made contingent upon seller acquiring a 66' easement which would allow for access to the land-locked property.
10. Ms. Steevens and the buyer drafted the permanent utility easement, which was accepted by the sellers and the owners of the property subject to the easement.

11. On 8/29/2010, the Fries closed on the Nixa Property.
12. During the investigation, the investigator discovered that Baraboo Area Realty Inc. operated as a real estate business entity without a current license from 12/14/2008 to 7/24/2009.
13. In resolution of this matter, Respondents Tippy K. Steevens and Baraboo Area Realty Inc. 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. Respondent Tippy K. Steevens has violated the following:
  - a. Wis. Admin. Code § RL 24.08 for providing brokerage services as an agent of the seller without a written listing agreement as described in paragraphs 5-11 of the Findings of Fact.
  - b. Wis. Admin. Code § RL 24.06(1) for the unauthorized practice of law by drafting an easement agreement as described in paragraph 10 of the Findings of Fact.
  - c. Wis Stat. §§ 452.12(5)(a) and (b) by failing to renew the real estate business entity license of Baraboo Area Realty Inc as described in paragraph 12 of the Findings of Fact.
3. Respondent Baraboo Area Realty Inc. has violated the following:
  - a. Wis. Stat. §§ 452.12(5)(a) and (b) for engaging in activities covered by the real estate business entity license while it was expired as described in paragraph 12 of the Findings of Fact.

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The real estate broker license of **Tippy K. Steevens** (license # 90-49254) and the real estate business entity license of **Baraboo Area Realty Inc.** (license # 91-835743) are hereby **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. The real estate broker license of **Tippy K. Steevens** (license # 90-49254) is **LIMITED** as follows:
  - a. Tippy K. Steevens shall, within twelve (12) months of this Order, successfully complete six (6) hours of continuing education relating to drafting, contracts, and licensing. All courses must be pre-approved by the Department Monitor Liaison.
  - b. Ms. Steevens shall submit proof of the same in the form of verification from the institution providing the education to the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that are or may be instituted by the Board or the Department of Regulation and Licensing.

IT IS FURTHER ORDERED that:

3. Respondent **Tippy K. Steevens** shall, within 120 days, pay a **FORFEITURE** in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** and **COSTS** in the amount of **NINETY FIVE DOLLARS (\$95.00)** for a **TOTAL** of **THREE HUNDRED AND FORTY-FIVE DOLLARS (\$345.00)**.
4. Respondent **Baraboo Area Realty Inc.** shall, within 120 days, pay a **FORFEITURE** in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** and **COSTS** in the amount of **NINETY FIVE DOLLARS (\$95.00)** for a **TOTAL** of **THREE HUNDRED AND FORTY-FIVE DOLLARS (\$345.00)**.
5. Payment of the forfeiture and costs shall be made 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) 261-7904, Fax (608) 266-2264

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 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 forfeiture and costs and proof of successful completion of continuing education as set forth above, the Respondents' licenses (Tippy K. Steevens - # 90-49254; Baraboo Area Realty Inc. - #91-835743) 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 forfeiture and costs and continuing education requirements.

7. The attached stipulation is hereby accepted.
8. This Order is effective on the date of its signing.
9. File 08 REB 131 is hereby closed.

Dated this 10 day of October, 2010.

WISCONSIN REAL ESTATE BOARD

By:

