

# 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
	:	
LANDWURX LLC AND	:	ORDER 0000 505
LORETTA MIEROW,	:	
RESPONDENTS.	:	
	:	

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Division of Enforcement Case No. 08 REB 018

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

Landwurx LLC  
357 Jonathan Dr.  
Pewaukee, WI 53072

Loretta Mierow  
357 Jonathan Dr.  
Pewaukee, WI 53072

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 **Landwurx LLC** is licensed in the State of Wisconsin as a Real Estate Business Entity, having license # 91-700994. This license was first granted to it on 09/08/2004 and is current through 12/14/2010. The most recent address on file with the Department of Regulation and Licensing for this entity is 357 Jonathan Drive, Pewaukee, WI 53072.

2. Respondent **Loretta Mierow** is licensed in the State of Wisconsin as a Real Estate Broker, having license # 90-33401. This license was first granted to her on 12/18/1984 and is current through 12/14/2010. The most recent address on file with the Department of Regulation and Licensing (Department) for Ms. Mierow is 357 Jonathan Drive, Pewaukee, WI 53072. Ms. Mierow is a member of Landwurx LLC.

3. On February 4, 2008, an auditor from the Department noted that Landwurx LLC's license had expired on 12/15/2006. The auditor contacted Ms. Mierow on February 5, 2008 to inform her of the expiration of the license. Ms. Mierow informed the auditor that she was unaware of the expired license at such time.

4. Ms. Mierow explained to the auditor that in 2006, Landwurx LLC was a two member Wisconsin limited liability company licensed as a real estate business entity in Wisconsin. Ms. Mierow was not the business representative of Landwurx LLC responsible for license renewal of the real estate business entity. Following the subsequent departure of Ms. Mierow's business partner and member of Landwurx LLC, Ms. Mierow was not informed by her partner that her partner had not renewed the real estate business entity license on or before 12/15/2006 as required. Ms. Mierow was unaware of the expired status of the real estate business entity license at the time she was notified of this fact by the auditor.

5. In response to the auditor's notification of the expired status of the real estate business entity license, Ms. Mierow immediately submitted and paid for a license renewal for Landwurx LLC on 2/5/2008. She then sent a facsimile to the auditor informing him of the completion of the renewal of the real estate business entity license and provided a copy of the payment confirmation page received online from the Department. Following her submission, the license was officially updated and renewed by the Department on 2/7/2008.

6. During the period in which Landwurx LLC's license was unknowingly expired, Landwurx LLC had two listing contracts that expired with no sale. Additionally, it had one sale in which it received a commission of \$3,775.60. The offer for the property was written by Ms. Mierow/Landwurx as an agent of the buyer on 4/21/2007. The closing occurred on 6/25/2007.

## 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 paragraph 6 of the Findings of Fact, respondents Landwurx LLC and Loretta Mierow, as business representative of Landwurx LLC, violated Wis. Stat. § 452.12(5)(b) by engaging in activities covered by Landwurx LLC's license after expiration of the license. As a result, Landwurx LLC and Ms. Mierow are subject to discipline pursuant to Wis. Stat. §§ 452.14(3)(L) and (4m).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Real Estate Business Entity license of **Landwurx LLC** (license # 91-700994) is hereby **REPRIMANDED**.

IT IS FURTHER ORDERED that:

2. Respondent **Landwurx LLC** shall pay a **FORFEITURE** of **FIVE HUNDRED DOLLARS (\$500)** and **COSTS** of **ONE HUNDRED FORTY DOLLARS (\$140)** for a total of **SIX HUNDRED FORTY DOLLARS (\$640)**.

3. Respondent **Loretta Mierow**, as business representative of **Landwurx LLC**, shall pay a **FORFEITURE** of **FIVE HUNDRED DOLLARS (\$500)**.

4. Payment shall be submitted within 120 days from the date of this order. Payment of the costs and forfeiture 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

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 set forth above, the Respondents' licenses (Landwurx LLC # 91-700994; Loretta Mierow # 90-33401) 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.

7. File 08 REB 018 is hereby closed.

Dated this 28 day of OCTOBER, 2010.

WISCONSIN REAL ESTATE BOARD

By:

