

# 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  
BARBARA C. DOLL AND :  
RALPH A. DOLL, : ORDER 0000584  
RESPONDENTS. :

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Division of Enforcement Case File No. 07 REB 092

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

Barbara C. Doll  
9831 North Melrose Court  
Mequon, WI 53097

Ralph A. Doll  
9831 North Melrose Court  
Mequon, WI 53097

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 Wisconsin Real Estate Board ("Board"). The Board has reviewed this Stipulation and considers it acceptable. Accordingly, the Board adopts the attached Stipulation in this matter and makes the following Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

1. Barbara C. Doll is licensed in the State of Wisconsin as a Real Estate Broker, having license number 090-45280, first issued on October 21, 1991 and current through December 14, 2010.

2. Ms. Doll's most recent address on file with the Department of Regulation and Licensing ("Department") is 9831 North Melrose Court, Mequon, WI 53097.

3. Ralph A. Doll is licensed in the State of Wisconsin as a Real Estate Broker, having license number 090-4859, first issued on July 22, 1974 and current through December 14, 2010.

4. Mr. Doll's most recent address on file with the Department of Regulation and Licensing ("Department") is 9831 North Melrose Court, Mequon, WI 53097.

5. On August 17, 2006, Neil and Joyce Dobberpuhl entered into a Residential Listing Contract – Exclusive Right to Sell with Barbara C. Doll for the sale of their home located at N49 W6773 Western Road, Cedarburg, Wisconsin (the "Western Road property").

6. Both Barbara C. Doll and Ralph A. Doll acted as the listing agents for the Dobberpuhls' Western Road property.

7. When the Dobberpuhls listed the Western Road property with the Dolls, they informed Barbara C. Doll and/or Ralph A. Doll that they had experienced water seepage in the basement during the course of their 31 year tenancy in the property.

8. Barbara C. Doll suggested the Dobberpuhls fix the seepage problem by adding soil along the outside of the problem wall of the Western Road property.

9. Barbara C. Doll and/or Ralph A. Doll also advised the Dobberpuhls that they did not have to disclose the water seepage issues on the Property Condition Report for the Western Road property.

10. On August 17, 2006, the Dobberpuhls completed a Real Estate Condition Report that did not disclose the water seepage issues at the Western Road property.

11. On December 16, 2006, Daniel and Suzanne Brauer received an accepted offer on the Western Road property.

12. The sale of the Western Road property was scheduled to close on March 28, 2007.

13. On March 26, 2007, while the Brauers were moving some of their belongings into the Western Road property pursuant to an agreement with the Dobberpuhls, Barbara C. Doll verbally informed Daniel and/or Suzanne Brauer that there had been water seepage in the basement of the property.

14. The sale of the Western Road property closed on March 28, 2007.

15. On April 3, 2007, rain water seeped into the basement of the Western Road property causing approximately \$8,000 in damage to the Brauers' new home.

## CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14(3) and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in Findings of Fact 7-10 and 13, Barbara C. Doll and Ralph A. Doll violated:

- a. Wis. Stat. § 452.133(1)(a) by failing to fulfill their duty to provide brokerage services honestly and fairly;
- b. Wis. Stat. § 452.133(1)(b) by failing to fulfill their duty to provide brokerage services with reasonable skill and care;
- c. Wis. Stat. § 452.133(1)(c) and Wis. Admin. Code § RL 24.07(2) by failing to fulfill their duty to timely disclose in writing all material adverse facts that they knew and the Brauers did not;
- d. Wis. Admin. Code § RL 24.03(2)(b) by failing to act to protect the public against fraud, misrepresentation and unethical practices;

3. Barbara C. Doll and Ralph A. Doll are subject to discipline under Wis. Stat. § 452.14(3) for the violations referenced above.

## ORDER

**NOW, THEREFORE, IT IS ORDERED** that:

1. The attached Stipulation is hereby accepted;
2. The Real Estate Broker license of Respondent **Barbara C. Doll**, license number 090-45280, and the Real Estate Broker license of Respondent **Ralph A. Doll**, license number 090-4859, are hereby **REPRIMANDED**.
3. The Real Estate Broker licenses of Respondents **Barbara C. Doll**, license number 090-45280, and **Ralph A. Doll**, license number 090-4859, are **LIMITED** as follows: within one (1) year of the effective date of this Order, Barbara C. Doll and Ralph A. Doll shall each successfully complete six (6) hours of real estate broker continuing education in the area of ethics as pre-approved by the Board Liaison, at their own expense, including taking and passing any exams offered for the courses or seminars.

Barbara C. Doll and Ralph A. Doll shall submit verification from the institution providing the education to the Department Monitor's 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.** This education is in **addition** to the Respondents' continuing education requirements. This educational requirement limitation shall be lifted upon the Department Monitor's receipt and approval of the verification of Barbara C. Doll's and Ralph A. Doll's successful completion of the required education.

4. **Barbara C. Doll** shall pay a **FOREITURE** in the amount of **\$500.00** and **COSTS** in the amount of **\$822.00** for a total of **\$1322.00**. **Ralph A. Doll** shall also pay a **FOREITURE** in the amount of **\$500.00** and **COSTS** in the amount of **\$822.00** for a total of **\$1322.00**. Respondents shall pay these total sums as follows: 1) \$500.00 shall be submitted within sixty (60) days of the date of this Order and shall be applied toward the owed forfeitures, 2) \$500 shall be submitted within sixty (60) days of the first payment and shall be applied toward the owed forfeitures, 3) \$548 shall be submitted within sixty (60) days of the second payment and shall be applied toward the owed costs, 4) \$548 shall be submitted within sixty (60) days of the third payment and shall be applied toward the owed costs, and 5) \$548 shall be submitted within sixty (60) days of the fourth payment and shall be applied toward the owed costs.

Payments shall be made payable to the Wisconsin Department of Regulation and Licensing and sent to the Department Monitor as follows:

Department Monitor  
Department of Regulation and Licensing  
PO Box 8935  
Madison, WI 53708-8935


Fax (608) 266-2264  
Tel. (608) 267-3817

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 the licenses of **Barbara C. Doll** and **Ralph A. Doll**. 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 Barbara C. Doll and Ralph A. Doll fail to timely submit payment of the forfeitures and costs as ordered or Barbara C. Doll and Ralph A. Doll fail to comply with the ordered continuing education as set forth above, Barbara C. Doll's license, number 090-45280, and Ralph A. Doll's license, number 090-4859, may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Barbara C. Doll and Ralph A. Doll have complied with the payment of the forfeitures and costs and completion of the continuing education.

6. This Order is effective on the date it is signed.

Dated this 9 day of December, 2010

**WISCONSIN REAL ESTATE BOARD**

By:   
A member of the Board