

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
DIANE M. CAMPSHURE-WALCZYK, :
CINDY J. LEITERMAN, :
RESOURCE ONE REALTY, LLC, AND : ORDER 0000676
THOMAS B. MONAHAN, :
RESPONDENTS. :

Division of Enforcement Case No. 07 REB 288

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

Diane M. Campshure-Walczyk
1740 E. Matthew Drive
De Pere, WI 54115

Cindy J. Leiterman
1740 E. Matthew Drive
De Pere, WI 54115

Resource One Realty, LLC
1740 E. Matthew Drive
De Pere, WI 54115

Thomas B. Monahan
1740 E. Matthew Dr.
De Pere, WI 54115

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, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent Diane M. Campshure-Walczyk is licensed in the state of Wisconsin as a Real Estate Broker, having license # 90-53717. This license was first granted to her on May 1, 2006 and is current through December 14, 2012. The most recent address on file with the Department of Regulation and Licensing ("Department") for Ms. Campshure is 7140 E. Matthew Drive, De Pere, WI 54115.

2. Respondent Cindy J. Leiterman is licensed in the state of Wisconsin as a Real Estate Broker, having license # 90-52255. This license was first granted to her on May 17, 2004 and is current through December 14, 2012. The most recent address on file with the Department of Regulation and Licensing ("Department") for Ms. Leiterman is 7140 E. Matthew Drive, De Pere, WI 54115.

3. Respondent Resource One Realty, LLC ("Resource One"), a real estate brokerage company, is licensed in the state of Wisconsin as a Real Estate Business Entity, having license # 91-700983. This license was first granted on August 18, 2004 and is current through December 14, 2012. The most recent address on file with the Department for Resource One is 7140 E. Matthew Drive, De Pere, WI 54115. Respondent Ms. Campshure is the owner and managing broker of Resource One.

4. Respondent Thomas Monahan is licensed in the state of Wisconsin as a Real Estate Salesperson, having license # 94-29437. This license was first granted to Mr. Monahan on September 15, 1988 and is current through December 14, 2012; however, Mr. Monahan's license was expired between January 1, 2007 and April 17, 2008. The most recent address on file with the Department of Regulation and Licensing ("Department") for Mr. Monahan is 1740 E. Matthew Drive, De Pere, WI 54115. At all times relevant to this case, including between January 1, 2007 and April 17, 2008, Resource One employed Mr. Monahan as an agent.

5. Between May 17, 2004 and November 17, 2007, Ms. Leiterman served as the managing broker of Resource One. During this time period, Ms. Leiterman was responsible for supervising the activities of Mr. Monahan, including ensuring his proper licensure.

6. From November 17, 2007 until the present, Ms. Campshure-Walczyk served as the managing broker of Resource One. During this time period Ms. Campshure-Walczyk was responsible for supervising the activities of Mr. Monahan, including ensuring his proper licensure.

7. Respondent Mr. Monahan admitted to the Department that his license was expired between January 1, 2007 and April 17, 2008 while he was employed as an agent for Resource One. During the expiration period he closed 54 transactions and listed 73 properties.

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 the Findings of Fact, Respondents Resource One, Ms. Leiterman and Ms. Campshure-Walczyk violated Wis. Stat. § 452.12(3) and Wis. Admin. Code § RL 17.08(1) and (2) by failing to properly supervise an employee, and Wis. Admin. Code § RL 17.07 by failing to check and ensure Mr. Monahan's proper licensure. Therefore, Respondents Resource One, Ms. Leiterman and Ms. Campshure-Walczyk are subject to discipline under Wis. Stat. § 452.14(3)(L).

3. By the conduct described in the Findings of Fact, Respondent Mr. Monahan violated Wis. Stat. § 452.03, by engaging in the business and occupation of real estate salesperson without possessing a current license. Therefore, Respondent Mr. Monahan is subject to discipline under Wis. Stat. § 452.14(3)(L).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached stipulation is accepted.
2. **Respondent Diane M. Campshure-Walczyk** (license # 90-53717) is hereby **REPRIMANDED**.
3. **Respondent Cindy J. Leiterman** (license # 90-52255) is hereby **REPRIMANDED**.
4. **Respondent Resource One Realty, LLC** (license # 91-700983) is hereby **REPRIMANDED**.
5. **Respondent Thomas B. Monahan** (license # 94-29437) is hereby **REPRIMANDED**.
6. **Respondent Diane M. Campshure-Walczyk** shall, within 120 days of the date of this Order, pay a **FORFEITURE** in the amount of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** and **COSTS** in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** for a **TOTAL** of **SEVEN HUNDRED FIFTY DOLLARS (\$750.00)**.
7. **Respondent Cindy J. Leiterman** shall, within 120 days of the date of this Order, pay a **FORFEITURE** in the amount of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** and **COSTS** in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** for a **TOTAL** of **SEVEN HUNDRED FIFTY DOLLARS (\$750.00)**.
8. **Respondent Resource One Realty, LLC** shall, within 120 days of the date of this Order, pay a **FORFEITURE** in the amount of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** and **COSTS** in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** for a **TOTAL** of **SEVEN HUNDRED FIFTY DOLLARS (\$750.00)**.
9. **Respondent Thomas B. Monahan** shall, within 120 days of the date of this Order, pay a **FORFEITURE** in the amount of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** and **COSTS** in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** for a **TOTAL** of **SEVEN HUNDRED FIFTY DOLLARS (\$750.00)**.

10. Proof of payment of the forfeiture and costs (made payable to the Wisconsin Department of Regulation and Licensing) shall be 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

11. 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, the Respondents' licenses (license # 91-700983, 90-53717, 90-52255 and 94-29437) 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.

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

Dated this 17 day of FEBRUARY, 2011.

WISCONSIN REAL ESTATE BOARD

By: 