

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

JEFF J. NARGES,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0000678
:

Division of Enforcement Case No. 07 REB 097

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

Jeff J. Narges
745 Ontario Road
Suite 1
Green Bay, WI 54311-8034

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 Jeff J. Narges is licensed in the State of Wisconsin as a Real Estate Salesperson, having license # 94-54840. This license was first granted to him on May 31, 2002 and is current through December 14, 2012. The most recent address on file with the Department of Regulation and Licensing ("Department") for Mr. Narges is 745 Ontario Road, Suite 1, Green Bay, WI 54311-8034.

2. On or about April 2, 2007, the Department received a complaint against Mr. Narges from Jane Marie Juza.

3. On February 5, 2007, Mr. Narges tendered an offer to purchase a home located at 865 Langlade Avenue, Green Bay, Wisconsin ("subject property") to assist friends (Thomas and Megan Ristow) who needed to sell their home in order to purchase a new home. The offer was accepted by the Ristows on the same day.

4. On February 11, 2007, Mr. Narges showed the subject property to Ms. Juza.

5. On February 14, 2007, Ms. Juza submitted a WB-11 Residential Offer to Purchase the subject property, which was drafted by Mr. Narges. Mr. Narges accepted the offer on the same date as the seller. At that time, Mr. Narges had not yet closed on the subject property and did not yet hold title. Ms. Juza paid Mr. Narges \$500 in earnest money.

6. Other than accepting the offer as the seller and within the Residential Property Condition Report, at no time did Mr. Narges disclose to Ms. Juza in writing that he was the seller, nor did he strike two of the three agency choices on her offer to purchase. Mr. Narges also failed to obtain a signed agency agreement from Ms. Juza.

7. Mr. Narges, as buyer, closed on the subject property on February 20, 2007. The transaction was recorded on February 26, 2007.

8. On March 30, 2007, Ms. Juza cancelled the transaction. Ms. Juza's earnest money was returned.

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, Respondent Mr. Narges has violated:

a. Wis. Stat. § 452.14(3)(b) by making a substantial misrepresentation with reference to a transaction injurious to a purchaser in which the broker or salesperson acts as an agent.

b. Wis. Stat. § 452.133(3)(b) by acting in a transaction on his own behalf without obtaining the written consent of all parties to the transaction.

3. As a result of the violations described in paragraph 2 of the Conclusions of Law, Respondent Mr. Narges is subject to discipline pursuant to Wis. Stat. § 452.14(3)(L).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached stipulation is accepted.

2. Respondent **Jeff J. Narges** (license # 94-54840) is hereby **REPRIMANDED**.

3. The license of Respondent **Jeff J. Narges** (license # 94-54840) is hereby **LIMITED** as follows:

a. Respondent **Jeff J. Narges** shall, within **120** days from the date of this Order, successfully complete a total of 8 credit hours with 4 credit hours of education devoted to real estate contracts emphasizing disclosure responsibilities, and the remaining 4 credit hours devoted to ethics in real estate, as offered by an educational institution pre-approved by the Department Monitor, including receiving passing scores on all exams; and

b. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or the Department of Regulation and Licensing.

c. The Limitation shall be removed from Respondent **Jeff J. Narges**' license and Respondent **Jeff J. Narges** will be granted a full, unrestricted license after satisfying the Board or its designee that he has successfully completed all of the ordered continuing education.

4. Respondent **Jeff J. Narges** shall, within **90** days of the date of this Order, pay a **FORFEITURE** in the amount of **ONE THOUSAND DOLLARS (\$1000.00)** and **COSTS** in the amount of **TWO THOUSAND DOLLARS (\$2,000.00)** for a **TOTAL** of **THREE THOUSAND DOLLARS (\$3,000.00)**.

5. Proof of successful course completion and 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

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 Respondent's license. 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 fails to timely submit payment of the forfeiture and costs or fails to comply with the ordered education set forth above, the Respondent's license (license # 94-54840) may, in the discretion of the board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of the forfeiture and costs and completion of the ordered education.

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

Dated this 17 day of FEBRUARY, 2011.

WISCONSIN REAL ESTATE BOARD

By: 