

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JOHN F. HOCHREK,	:	
RESPONDENT.	:	
		<b>ORDER 0001052.</b>

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Division of Enforcement Case No. 11 APP 021

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

John Hochrek 10058-089  
FCI Oxford  
Federal Correctional Institution  
PO Box 1000  
Oxford, WI 53952

Wisconsin Real Estate Appraisers Board  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Enforcement  
Department of Safety and Professional Services  
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 Appraisers 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 John F. Hochrek (dob 2/22/1961) is licensed in the State of Wisconsin as a Certified Residential Appraiser and Licensed Appraiser, having license number 9-1319, first issued on 12/10/2003 and current through 12/14/2011. John F. Hochrek's most recent address on file with the Wisconsin Department of Safety and Professional Services,

formerly known as the Department of Regulation and Licensing, (Department) is John Hochrek 10058-089, FCI Oxford, Federal Correctional Institution, PO Box 1000, Oxford, WI 53952.

2. On or about 4/28/2009, Respondent was indicted on charges alleging that Respondent conspired with others to commit wire fraud in connection with a mortgage fraud scheme, in violation of Title 18 United States Code, Section 1343.

3. On or about 3/14/2011, Respondent executed a Plea Agreement whereby he entered a guilty plea to the charges in the indictment, including admitting guilt as follows:

- a. Respondent knowingly conspired with others to commit wire fraud.
- b. Respondent prepared and submitted appraisals which falsely inflated the fair market value of the subject properties.
- c. Between October 2004 and August 2006, Respondent completed at least 137 appraisals, valuing the properties at the contract price rather than the owners' asking prices, knowing that the former price was inflated and that the latter price more fairly represented the actual value of the property.

4. On 3/14/2011, the United States District Court of the Eastern District of Wisconsin entered a Change of Plea Minutes adjudging Respondent guilty, and setting a sentencing date of 6/30/2011. Respondent was subsequently sentenced to a term of 6 months imprisonment and subsequent 6 months of home confinement as part of a three year probationary term.

5. Respondent failed to notify the Department of the conviction identified at paragraph 4, above, within forty-eight (48) hours after the judgment of conviction.

6. Respondent wishes to resolve the complaint filed in Division of Enforcement Case No. 11 APP 021 via surrender of his license and certification as a certified residential appraiser and licensed appraiser (9-1319). Respondent consents to the following Conclusions of Law and Order.

### **CONCLUSIONS OF LAW**

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 458.26.

2. The Wisconsin Real Estate Appraisers Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

3. By the conduct described in paragraphs 3 and 4 of the Findings of Fact, Respondent has violated Wis. Admin. Code § RL 86.01(11) by violating a federal law, under circumstances that substantially relate to the practices of real estate appraising.

4. By the conduct described in paragraph 5 of the Findings of Fact, Respondent has violated Wis. Admin. Code § RL 4.09(2) by failing to report his conviction to the Department within forty-eight (48) hours after the judgment of conviction.

5. As a result of the violations noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 458.26(3)(b) and (d).

### ORDER

NOW, THEREFORE, IT IS ORDERED that:

1. The VOLUNTARY SURRENDER of the Certified Residential Appraiser and Licensed Appraiser certificate and license of John F. Hochrek (license #9-1319) is hereby ACCEPTED. Mr. Hochrek shall return all indicia of his Wisconsin Real Estate Appraiser licensure and certification to the Department Monitor, P.O. Box 8935, Madison, WI 53709-8935, within ten (10) days following the effective date of this Order.

2. Mr. Hochrek shall not seek to renew his license or certification, or apply for any other license or certification as a real estate appraiser with the State of Wisconsin, Department of Safety and Professional Services, in the future.

3. Mr. Hochrek shall not practice real estate appraisal in the State of Wisconsin without being licensed as a real estate appraiser in Wisconsin.

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in further action against the Respondent.

5. The attached Stipulation is hereby accepted.

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

WISCONSIN REAL ESTATE APPRAISERS BOARD

by:   
A Member of the Board

8/24/2011  
Date