

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
ERIC T. VANGUILDER AND : FINAL DECISION AND ORDER  
VANGUILDER INVESTIGATIONS AND :  
PROTECTION SERVICES :  
RESPONDENTS. : ORDER 0001196

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Division of Enforcement Case No. 10 RAL 008

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

Eric T. VanGuilder  
25279 West Acorn Street  
Calumet, MI 49913

VanGuilder Investigations and Protection Services  
25279 West Acorn Street  
Calumet, MI 49913

Department of Safety and Professional Services  
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 Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order:

## FINDINGS OF FACT

1. Eric T. VanGuilder is licensed in the State of Wisconsin as a private detective, having license number 11256-63, first issued on 03/01/07, and inactive as of 10/18/11. Mr. VanGuilder obtained a firearms permit from the Department on 03/01/07; said permit expired on 03/09/09. Mr. VanGuilder's most recent address on file with the Department is 25279 West Acorn Street, Calumet, Michigan 49913.

2. VanGuilder Investigations and Protection Services (VIPS) is licensed in the State of Wisconsin as a private detective agency, having license number 16557-62, first issued on 03/01/07, and expired on 09/01/11. VIPS' most recent address on file with the Department is 25279 West Acorn Street, Calumet, Michigan 49913. Mr. VanGuilder is the sole proprietor of VIPS.

3. On or about September 28, 2010, the Department received a complaint against Mr. Van Guilder from the Rice Lake Police Department.

4. The Department's investigation of the complaint against Mr. VanGuilder also identified that:

- a. Mr. VanGuilder carried a firearm while acting as a private detective while his firearms permit was expired. Mr. VanGuilder contends he could carry a firearm while acting as a private detective because he was an active law enforcement officer.
- b. VIPS entered into written agreements with clients that failed to contain a description of the fees required by the agency for the services to be provided, and,
- c. VIPS advertised as a private detective agency after its license was expired. Mr. VanGuilder contends he was not aware VIPS license was expired as he received confirmation from the Department that his renewal payment had been received.

5. Mr. VanGuilder and VIPS do not admit the alleged violations, but do not wish to contest them.

## CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6)(a), 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, Mr. VanGuilder violated Wis. Admin. Code § RL 34.01(4) by carrying a firearm when acting as a private detective while his firearms permit was expired.

3. By the conduct described in the Findings of Fact, VIPS violated Wis. Admin. Code § RL 33.06(1)(d) by entering into written agreements with clients that failed to include a description of the fees required by the agency for the services to be provided.

4. By the conduct described in the Findings of Fact, VIPS violated Wis. Stat. § 440.26(1)(a)1 and Wis. Admin. Code § RL 31.01(1)(a)1 by advertising as a private detective agency when its license was expired.

5. As a result of the violations noted in the Conclusions of Law, Respondents are subject to discipline pursuant to Wis. Stat. § 440.26(6)(a).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The VOLUNTARY SURRENDER of the Private Detective license of Eric T. VanGuilder (license #11256-63) is hereby ACCEPTED. Mr. VanGuilder shall return all indicia of his Wisconsin Private Detective licensure to the Department Monitor at P.O. Box 8935, Madison, WI 53709-8935, within ten (10) days following the effective date of this Order.

2. Mr. VanGuilder shall not seek to renew his license, or apply for any other license as a private detective or private security person with the State of Wisconsin, Department of Safety and Professional Services, in the future.

3. Mr. VanGuilder shall not practice as a private detective in the State of Wisconsin without being licensed as a private detective in Wisconsin.

4. The VOLUNTARY SURRENDER of the Private Detective Agency license of VanGuilder Investigations and Protection Services (license #16557-62) is hereby ACCEPTED. VanGuilder Investigations and Protection Services shall return all indicia of its Wisconsin Private Detective Agency licensure to the Department Monitor at P.O. Box 8935, Madison, WI 53709-8935, within ten (10) days following the effective date of this Order.

5. VanGuilder Investigations and Protection Services shall not seek to renew its license, or apply for any other license as a private detective agency with the State of Wisconsin, Department of Safety and Professional Services, in the future.

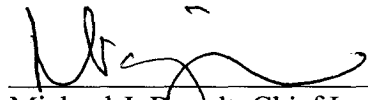
6. VanGuilder Investigations and Protection Services shall not operate as a private detective agency in the State of Wisconsin without being licensed as a private detective agency in Wisconsin.

7. 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 Respondents.

8. Case No. 10 RAL 008 is hereby closed as to Eric T. VanGuilder and VanGuilder Investigations and Protection Services.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

by:  \_\_\_\_\_ Date 11/8/11

Michael J. Berndt, Chief Legal Counsel  
On Behalf of the Department