

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

AMY E. MELVIN AND
BOULDER REALTY, LLC,
RESPONDENTS.

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:
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:
:
:

FINAL DECISION AND ORDER

ORDER 0001220

Division of Enforcement Case Number 10 REB 005

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

Amy E. Melvin
W6001 Maple Road
Neillsville, WI 54456

Boulder Realty, LLC
W6001 Maple Road
Neillsville, WI 54456

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

Division of Enforcement
Wisconsin 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 Real Estate Examining 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 Amy E. Melvin (dob 06/27/1975) is licensed in the State of Wisconsin as a Real Estate Broker, having license number 90-55294, first issued on 09/15/2008 and current through 12/14/2012. Respondent Melvin's most recent address on file with the

Wisconsin Department of Safety and Professional Services (Department) is W6001 Maple Road, Neillsville, WI 54456.

2. Respondent Boulder Realty, LLC is licensed in the State of Wisconsin as a Real Estate Business Entity, having license number 91-936316, first issued on 9/15/2008 and current through 12/14/2012. Respondent Boulder Realty, LLC's most recent address on file with the Department is W6001 Maple Road, Neillsville, WI 54456.

3. On or about January 12, 2010, the Department received a complaint alleging that Respondents wrongly terminated Complainant's Offer to Purchase regarding a property that Respondents had listed.

4. Division of Enforcement Case Number 10 REB 005 was subsequently opened for investigation.

5. The Department's investigation revealed that Respondent Melvin's real estate broker license was expired from December 15, 2008 until she renewed it on February 23, 2009. Respondent Melvin worked as a real estate broker during the time her license was expired.

6. The Department's investigation revealed that Respondent Boulder Realty, LLC's real estate business entity license was expired from December 15, 2008 until it was renewed on July 30, 2010. Respondent Boulder Realty, LLC had 11 closings during the time its license was expired.

7. In resolution of this matter, Respondents Amy E. Melvin and Boulder Realty LLC consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The State of Wisconsin Real Estate Examining 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 paragraphs 5-6 of the Findings of Fact, Respondents Amy E. Melvin and Boulder Realty, LLC have violated Wis. Stat. § 452.12(5)(b).

3. As a result of the violation noted in the Conclusions of Law, Respondents Amy E. Melvin and Boulder Realty, LLC are subject to discipline pursuant to Wis. Stat. § 452.14(3)(l).

ORDER

NOW, THEREFORE, IT IS ORDERED that:

1. The attached Stipulation is hereby accepted.

2. Respondents Amy E. Melvin and Boulder Realty LLC are hereby REPRIMANDED.

3. Within 90 days of this Order, Respondent Amy E. Melvin shall, within 60 days of the date of this Order, pay a FORFEITURE in the amount of \$250.00 and COSTS in the amount of \$205.00.

4. Within 90 days of this Order, Respondent Boulder Realty, LLC shall pay a FORFEITURE in the amount of \$250.00 and COSTS in the amount of \$205.00.

5. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services, and sent to the Department Monitor at:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, 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 the 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 costs as ordered above, Respondents' licenses (numbers 90-55294 and 91-936316) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with the payment of the forfeiture and costs.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

By: _____

A member of the Board

Date

11-16-11