

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

JOHN P. KLOSE, JR.,
JOHN P. KLOSE, SR., and
KLOSE REALTORS INC.
RESPONDENTS.

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FINAL DECISION AND ORDER

ORDER 0001222.

Division of Enforcement Case No. 09 REB 077

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

John P. Klose, Jr.
8413 West Greenfield Avenue
West Allis, WI 53214

John P. Klose, Sr.
8413 West Greenfield Avenue
West Allis, WI 53214

Klose Realtors Inc.
8413 West Greenfield Avenue
West Allis, WI 53214

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

Department of Safety and Professional Services
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 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 John P. Klose, Jr., date of birth: 05/31/71, is licensed in the State of Wisconsin as a Real Estate Broker, having license number 90-53513. This license was first granted to him on February 13, 2006. The license is current through December 14, 2012.
2. The most recent business address on file with the Department of Safety and Professional Services ("Department") for Mr. Klose Jr. is: 8413 West Greenfield Avenue, West Allis, Wisconsin 53214.
3. Respondent John P. Klose, Sr., date of birth: 06/04/38, is licensed in the State of Wisconsin as a Real Estate Broker, having license number 90-30369. This license was first granted to him on October 13, 1966. The license is current through December 14, 2012.
4. The most recent business address on file with the Department for Mr. Klose Sr. is: 8413 West Greenfield Avenue, West Allis, Wisconsin 53214.
5. Respondent Klose Realtors Inc. is licensed in the State of Wisconsin as a real estate business entity, having license number 91-936223. This license was first granted to Klose Realtors Inc. on May 6, 2008 but was placed into expired status for failure to renew on January 2, 2009. The business entity license was not renewed until March 3, 2011. The license is current through December 14, 2012. Both Mr. Klose Jr. and Mr. Klose Sr. are co-owners and responsible brokers for Klose Realtors Inc.
6. The most recent business address on file with the Department for Klose Realtors Inc. is: 8413 West Greenfield Avenue, West Allis, Wisconsin 53214.
7. The Department received two consumer complaints against the Respondents. The complaints were received on June 16, 2009 and July 21, 2009. Both consumer complaints alleged unprofessional conduct by the Respondents during real estate transactions in which the Respondent Klose Realtors Inc.'s business entity license was expired. The consumer complaints were subsequently opened for investigation.
8. During the course of the investigation, it was revealed that Klose Realtors Inc. was practicing with an expired business entity license during the time that both real estate transactions were conducted.
9. In resolution of this matter, Respondents John P. Klose Jr., John P. Klose Sr., and Klose Realtors Inc. consent to the entry of the following Conclusions of Law and Order.

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 John P. Klose Jr., John P. Klose Sr., and Klose Realtors Inc. have violated:

- Wis. Stat. § 452.12 (5)(b) by engaging in the practice of real estate with an expired business entity license from January 2, 2009 through March 3, 2011.

3. As a result of the violations described in paragraph 2 of the Conclusions of Law, Respondents John P. Klose Jr., John P. Klose Sr. and Klose Realtors Inc. are subject to discipline pursuant to Wis. Stat. §§ 452.14(3)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached stipulation is accepted.
2. Respondents are hereby John P. Klose Jr., John P. Klose Sr. and Klose Realtors Inc. **REPRIMANDED**.
3. Respondent John P. Klose Jr. shall pay COSTS in the amount of **THREE HUNDRED FIFTY DOLLARS (\$350.00)** and a FORFEITURE in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** within 90 days of the date of this Order.
4. Respondent John P. Klose Sr. shall pay COSTS in the amount of **THREE HUNDRED FIFTY DOLLARS (\$350.00)** and a FORFEITURE in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** within 90 days of the date of this Order.
5. Respondent Klose Realtors Inc. shall pay COSTS in the amount of **THREE HUNDRED FIFTY DOLLARS (\$350.00)** and a FORFEITURE in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** within 90 days of the date of this Order.
6. Payment shall be made payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

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 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 costs and forfeiture as ordered and as set forth above, then Respondents' licenses (numbers 90-53513, 90-30369, 91-936223) may, in the discretion of the board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondents have complied with payment of costs and forfeiture.

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

Dated this 11 day of November, 2011.

WISCONSIN REAL ESTATE EXAMINING BOARD

By: 
