

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
MARK MILOS, :
RESPONDENT. : **ORDER 0001268**

Division of Enforcement Case Number 10 REB 091

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

Mark Milos
2900 Roosevelt Road, Ste. 200
Kenosha, WI 53143

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

Wisconsin 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 Wisconsin Real Estate Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Mark Milos (dob 11/18/1979) is licensed in the State of Wisconsin as a Real Estate Broker, having license number 90-55206, first issued on 06/27/2008 and current through 12/14/2012. Mr. Milos' most recent address on file with the Department of Safety and Professional Services (Department) is 2900 Roosevelt Road, Suite 200, Kenosha, WI 53143.

2. On or about July 14, 2010, the Department received a complaint from P.C. alleging that Respondent, who is also a Wisconsin licensed attorney, used deception to enter her condominium, which was for sale in Kenosha, attempting to find evidence that would support his client's counter claim in litigation against his infant son's birth mother (P.C.).

3. Division of Enforcement Case Number 10 REB 091 was subsequently opened for investigation.

4. Information obtained during the course of the Department's investigation revealed that in April 2009, Respondent contacted the listing broker of P.C.'s property, Bear Realty, and identified himself as a broker interested in viewing the property. Respondent did not disclose to Bear Realty that P.C. was his client's opponent in litigation.

5. Respondent entered P.C.'s condo on two occasions, in which he took pictures, and removed receipts of a personal nature to use as evidence against P.C in litigation. The receipts were copied and then returned to the condo by Respondent.

6. Upon discovery of these facts, P.C. contacted the Kenosha County Sherriff's Department. When interviewed by the Sherriff's Department, Respondent falsely informed the officer that these receipts were delivered to his office anonymously.

7. In a disciplinary proceeding before the Hearing Board of the Illinois Attorney Registration and Disciplinary Commission, Respondent admitted to: (1) Making statements of material fact to a third person which the lawyer knows or reasonably should know are false; (2) Using methods of obtaining evidence that violate the legal rights of a third person; (3) Conduct involving dishonesty, fraud, deceit or misrepresentation; (4) Conduct that is prejudicial to the administration of justice; and (5) Conduct which tends to bring the courts or the legal profession into disrepute.

8. On September 26, 2011, the Illinois Supreme Court ordered Respondent suspended from the practice of law for ninety (90) days effective October 17, 2011.

9. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The 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 4-7 of the Findings of Fact, Respondent Mark Milos has violated Wis. Admin. Code §§ RL 24.03(2)(b) and 24.17(1).

3. As a result of the violations noted in the Conclusions of Law, Respondent Mark Milos is subject to discipline pursuant to Wis. Stat. §§ 452.14(3)(i) and (k).

ORDER

NOW, THEREFORE, IT IS ORDERED that:

1. The real estate broker license of Respondent (license number 90-55206) is hereby **SUSPENDED** for a period of ninety (90) days beginning January 16, 2012.

2. The real estate broker license of Respondent (license number 90-55206) is hereby **LIMITED** as follows:

- a. Respondent shall within one (1) year of the date of this Order, successfully complete three (3) hours of real estate broker education in the area of ethics to be pre-approved by the Board's monitoring liaison, at his own expense, including taking and passing any exams offered for the course.
- b. Respondent shall submit proof of completion in the form of verification from the institution providing the education to the Department Monitor's address stated below. 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, Wisconsin Department of Safety and Professional Services or similar authority in any state.
- c. This Limitation shall be removed from Respondent's license after he has satisfied the Board or its designee that he has successfully completed all of the ordered education.

3. Respondent shall, within ninety (90) days of the date of this Order, pay costs in the amount of **TWO HUNDRED EIGHTY DOLLARS (\$280.00)**.

4. Proof of successful completion of education and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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

5. 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 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 costs as ordered or fails to comply with the ordered education as set forth above, Mark Milos' license, number 90-55206, may, in the discretion of the Board or its designee, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with the payment of costs and completion of the education.

6. This Order is effective on the date it is signed.

Dated this 7th day of December, 2011.

WISCONSIN REAL ESTATE EXAMINING BOARD

By: /s/ Stephen Beers - H.
A member of the Board