

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 A. DRZEWIECKI and
ACRE REALTY 21, LLC,
RESPONDENTS.

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:
:

FINAL DECISION AND ORDER

ORDER 0001269

Division of Enforcement Case No. 08 REB 063

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

John A. Drzewiecki
303 S. Bluemound Drive
Appleton, WI 54914

Acre Realty 21, LLC
303 S. Bluemound Drive
Appleton, WI 54914

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 Board. The disposition of this matter comes after the issuance of a formal complaint. 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 A. Drzewiecki is licensed in the State of Wisconsin as a Real Estate Broker, having license number 90-12454. This license was first granted to him on October 12, 1976. The license is current through December 14, 2012.

2. The most recent address on file with the Department of Safety and Professional Services ("Department") for Mr. Drzewiecki is: 303 S. Bluemound Drive, Appleton, Wisconsin 54914.

3. Respondent Acre Realty 21, LLC is licensed in the State of Wisconsin as a real estate business entity, having license number 91-936043. This license was first granted to Acre Realty 21, LLC on October 31, 2007 and is current through December 14, 2012. Mr. Drzewiecki has been the supervising broker of Acre Realty 21, LLC since October 31, 2007.

4. On April 11, 2008, the Department received a consumer complaint alleging that Dianne M. DeGroot (#94-31762; granted on: 09/20/89), a real estate agent with Acre Realty 21, LLC, engaged in unprofessional conduct during a real estate transaction in 2007. At the time the consumer complaint was received, Ms. DeGroot's real estate salesperson's license was in expired status.

5. The results of the investigation reveal that from November 2007 through June 2008, Ms. DeGroot's license was expired while Mr. Drzewiecki was the supervising broker at Acre Realty 21, LLC.

6. In resolution of this matter, the Respondents, John A. Drzewiecki and Acre Realty, 21 LLC consent to 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 the Findings of Fact, Respondents John A. Drzewiecki and Acre Realty 21, LLC have violated:

- Wis. Admin. Code § RL 17.07 by failing to ensure that Dianne M. DeGroot was properly licensed to practice as a real estate salesperson with Acre Realty 21, LLC from October 2007 through June 2008.

3. As a result of the violation, John A. Drzewiecki and Acre Realty 21, LLC 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 John A. Drzewiecki and Acre Realty 21, LLC are hereby **REPRIMANDED.**

3. Respondent John A. Drzewiecki shall pay COSTS in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** and a forfeiture in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** within 30 days of the date of this Order.

4. Respondent Acre Realty 21, LLC shall pay COSTS in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** and a forfeiture in the amount of **FIVE HUNDRED DOLLARS (\$500.00)** within 30 days of the date of this Order.

5. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to:

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 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 90-12454 and 91-936043) 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.

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

Dated this 7th day of December, 2011.

WISCONSIN REAL ESTATE EXAMINING BOARD

By: /s/ Stephen Beers -JS.