

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE APPRAISER BOARD

IN THE MATTER OF
THE LICENSE OF

DONALD J. WERGIN
PETITIONER

:
:
:
:
:

ORDER SUSPENDING
LICENSE

ORDER0000355

TO: Donald J. Wergin
1402 Clark Street
Manitowoc, WI 54220

Department Monitor
Division of Enforcement
1400 East Washington Avenue
Madison, WI 53703

The Real Estate Appraisers Board considered this matter at its meeting on February 22, 2012.

BACKGROUND

On August 25, 2010, for the reasons stated in the Final Decision and Order of the same date, the Board required Donald J. Wergin, Certified Residential Appraiser license number 9-841, to successfully complete the following education courses within six months of the date of the Order: Basic Appraisal Principles, Basic Appraisal Procedure, and USPAP Ethics.

Further, the Board ordered the limitation of Mr. Wergin's license as follows: (1) he shall not train or supervise other appraisers or other individuals obtaining appraisal experience, and (2) he shall limit his appraisal practice to the counties of Brown, Outagamie, Door, Manitowoc and Sheboygan. The Order allowed Mr. Wergin to petition the Board for the removal of either or both of the above limitations by sending a written request with a roster of appraisals completed following the education "[a]t any time after one year following the completion of the education ordered above..."

On February 22, 2012, the Department Monitor presented to the Board for consideration of a violation of the Final Decision and Order of the Board dated August 25, 2010. Based upon the information of record, the Board now finds and makes the following:

FINDINGS OF FACT

1. The Department Monitor notified Mr. Wergin of his non-compliance with the terms of the Order dated August 25, 2010, in a letter dated February 25, 2011, that was sent to Mr. Wergin's address on file with the Department. In that letter, Mr. Wergin was given an opportunity to respond and was further informed that non-compliance would lead to a suspension.

2. Mr. Wergin's attorney submitted a letter dated March 24, 2011 indicating that Mr. Wergin would immediately enroll in the required education courses.

3. Mr. Wergin submitted certificates for six courses, none of which were the required courses identified in the Order dated August 25, 2011.

4. Mr. Wergin was granted an extension of time to complete the required education courses by September 15, 2011, as a result of an e-mail dated July 14, 2011 from Mr. Wergin's attorney requesting the extension to complete the courses.

5. Mr. Wergin failed to complete the required education courses in the Order dated August 25, 2010 by September 15, 2011.

CONCLUSION OF LAW

1. Based on the record of this case and the findings outlined above, the Board concludes that Mr. Wergin is in violation of the Order dated August 25, 2010. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 458.26.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Certified Residential Appraiser license of Donald Wergin (license number 9-841) is SUSPENDED.

IT IS FURTHER ORDERED that a petition for the removal of the suspension shall not be considered without the following documentation:

1. Proof of successful completion of Basic Appraisal Principles and Basic Appraisal Procedure courses in the form of verification from the institution providing the education.

2. A roster of all appraisals completed from August 2010 through the date of the petition.

IT IS FURTHER ORDERED that all other terms and conditions of the Final Decision and Order dated August 25, 2010, not otherwise modified herein, remain in full force and effect.

This order is effective on the date signed below.

STATE OF WISCONSIN
REAL ESTATE APPRAISER BOARD



Marla Britton

 Chairperson

3-22-12
Date