

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

BRADLEY A. WILL,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0001398**

Division of Enforcement Case Number 08 REB 135

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

Bradley A. Will
14525 W. Meadowshire Dr.
New Berlin, WI 53151

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 Bradley A. Will (dob 03/23/1961) is licensed in the State of Wisconsin as a Real Estate Broker, having license number 90-35322, first issued on 08/20/1985 and current through 12/14/2012. Mr. Will's most recent address on file with the Department of Safety and Professional Services (Department) is 14525 W. Meadowshire Drive, New Berlin, Wisconsin 53151.

2. From January 2007 to February 2009, Mr. Will was employed by Heartland Development Group Ltd (Real Estate Business Entity license number 91-834761, first issued on 08/17/1995 and expired as of 12/15/2010) as a broker for the Rainbow Lakes Condominium Development.

3. On or about August 11, 2008, the Department received a complaint alleging, among other things, that Mr. Will failed to disclose that the Rainbow Lakes Condominium Development had sustained water incursion prior to closing sales of the condos.

4. Division of Enforcement Case Number 08 REB 135 was subsequently opened for investigation.

5. Information obtained during the course of the Department's investigation revealed that Rainbow Lakes Condominium Development sustained significant water incursion problems commencing in 2007 and continuing until at least 2010.

6. Mr. Will was aware of the water incursion problems at Rainbow Lakes Condominium Development at the time he was employed by Heartland Development Group Ltd as a salesperson for the Condominium Development.

7. Mr. Will did not disclose to potential buyers that the Rainbow Lakes Condominium Development had sustained water incursion prior to closing sales of the condos.

8. 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 6-7 of the Findings of Fact, Respondent Bradley A. Will has violated Wis. Admin. Code § RL 24.07(2) by failing to timely disclose in writing all material adverse facts that the broker knows.

3. By the conduct described in paragraphs 6-7 of the Findings of Fact, Respondent Bradley A. Will has violated Wis. Admin. Code § RL 24.03(2)(b) by failing to act to protect the public against fraud, misrepresentation and unethical practices.

4. As a result of the violations noted in the Conclusions of Law, Respondent Bradley A. Will is subject to discipline pursuant to Wis. Stat. § 452.14(3)(i).

ORDER

NOW, THEREFORE, IT IS ORDERED that:

1. Respondent Bradley A. Will (license number 90-35322) is hereby REPRIMANDED.

2. The real estate broker license of Respondent Bradley A. Will (license number 90-35322) is hereby LIMITED as follows:

- a. Respondent shall within one (1) year of the date of this Order, and at Respondent's own expense, 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, including taking and passing any exams offered for the course(s).
- b. Respondent shall submit proof of completion in the form of verification from the institution providing the education to the Department Monitor at the 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, the Department 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 Bradley A. Will shall, within one hundred twenty (120) days of the date of this Order, pay costs in the amount of EIGHT HUNDRED NINETY EIGHT DOLLARS (\$898.00).

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

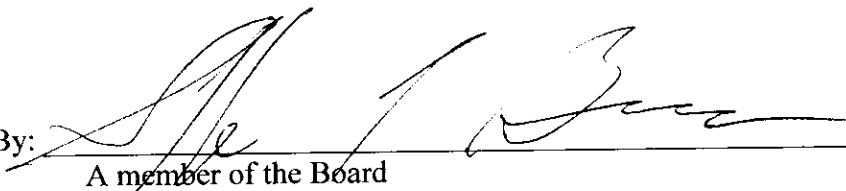
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of the Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional 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, Bradley A. Will's license, number 90-35322, 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 28 day of FEBRUARY, 2012

WISCONSIN REAL ESTATE EXAMINING BOARD

By:


A member of the Board