

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MARC A. DENZIN,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: ORDER 0001581

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Division of Enforcement Case No. 11 RHI 006

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

Marc A. Denzin  
2067 James Street  
Kronenwetter, WI 54455

Wisconsin Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Enforcement  
Wisconsin Department of Safety and Professional Services  
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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Marc A. Denzin (dob 08/21/1964) is licensed in the State of Wisconsin as a Home Inspector, having license number 106-2348, first issued on December 11, 2009 and current through December 14, 2012. Mr. Denzin's most recent address on file with the Department is 2067 James Street, Kronenwetter, WI 54455.

2. In September 2009, Respondent Denzin submitted an application to the Department for a home inspector license and answered "NO" to the following question:

Have you ever been convicted of a misdemeanor or a felony, or driving while intoxicated (DWI), in this or any other state, OR are criminal charges or DWI charges currently pending against you?

3. On or about November 22, 2011, the Department received a complaint alleging, in part, that Respondent Denzin had been convicted of a criminal charge. Division of Enforcement case number 11 RHI 006 was subsequently opened for investigation.

4. Court records obtained during the course of the Department's investigation revealed that in June 2009, Respondent Denzin pled no contest to two counts of misdemeanor Disorderly Conduct and entered into a deferred prosecution agreement (Marathon County Case Number 2009CF000024).

5. Respondent Denzin failed to successfully complete the terms of the deferred prosecution agreement and on or about January 10, 2011, Respondent Denzin was convicted of two counts of Disorderly Conduct.

6. Respondent Denzin failed to notify the Department of the convictions within 48 hours after the entry of the judgment of conviction.

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

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.978, 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, Respondent Denzin violated Wis. Admin. Code § RL (now SPS) 4.09(2) by failing to report his convictions within 48 hours after the entry of the judgment of conviction.

3. By making a material misstatement on his application for a certificate as described in the Findings of Fact, Respondent Denzin is subject to discipline pursuant to Wis. Stat. § 440.978(2)(a).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Marc A. Denzin is hereby REPRIMANDED.
3. Within 90 days of the date of this Order, Respondent Denzin shall pay COSTS of this matter in the amount of \$384.00.

4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

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 Respondent's license. The Department 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 and as set forth above, Respondent's license (no. 106-2348) may, in the discretion of the Department, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Michael J. Berndt  
Michael J. Berndt, Chief Legal Counsel  
On Behalf of the Department

5/23/12  
Date