

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :
BRIDGET M. MAHONY, : FINAL DECISION AND ORDER
RESPONDENT. :
ORDER 0001916

Division of Enforcement Case No. 11 RAL 009

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

Bridget M. Mahony
1423 North 54th Street
Milwaukee, WI 53208

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 Bridget M. Mahony (dob 06/03/1961) is licensed in the State of Wisconsin as a Private Detective, having license number 63-7006, first issued on October 17, 1986 and current through August 31, 2012. Respondent Mahony's most recent address on file with the Department is 1423 North 54th Street, Milwaukee, WI 53208.

2. On July 27, 2011, the Department received a complaint against Respondent Mahony.

3. On or about August 15, 2011, the Department sent Respondent Mahony a letter by regular mail requesting a response to the complaint. Respondent Mahony failed to respond to the letter.

4. On or about September 7, 2011, the Department sent Respondent Mahony a second letter by certified mail requesting a response to the complaint. Respondent Mahony responded in a letter received by the Department on September 23, 2011. Division of Enforcement case number 11 RAL 009 was subsequently opened for investigation.

5. Respondent Mahony included the "Retainer Agreement" for her services at issue in this matter with her response. The contract failed to include a description of how or when the agreement would terminate.

6. On or about September 30, 2011, the Department sent Respondent Mahony a letter requesting, among other things, her billing for the private detective services she provided relevant to this matter. Respondent Mahony failed to respond to the letter.

7. On or about November 7, 2011, the Department sent Respondent Mahony another letter requesting, among other things, her billing for the private detective services she provided relevant to this matter. Respondent Mahony responded with a narrative but failed to provide her billing.

8. At all times relevant to this matter, Respondent Mahony's license was affiliated with Joseph & McLoone Consulting, LLC (license no. 62-16516, granted 5/24/2006, expired 8/31/2011). Respondent Mahony's contract indicates Joseph & McLoone Consulting, LLC and provides Joseph & McLoone Consulting, LLC's address.

9. Respondent Mahony admits she is not an employee of Joseph & McLoone Consulting, LLC and that she only has her license listed with the agency.

10. In resolution of this matter, Respondent Mahony consents to the entry of 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. § 440.26(6), 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 Mahony engaged in conduct reflecting adversely on her professional qualification pursuant to Wis. Admin. Code § SPS 35.01(23) by failing to timely respond to requests of the Department.

3. By the conduct described in the Findings of Fact, Respondent Mahony engaged in conduct reflecting adversely on her professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(12m) by violating the requirements for a written contract.

4. By the conduct described in the Findings of Fact, Respondent Mahony violated Wis. Admin. Code § RL (now SPS) 33.06(1)(e) by failing to include in her contract for services a description of how or when the agreement would terminate.

5. By the conduct described in the Findings of Fact, Respondent Mahony violated Wis. Admin. Code § RL (now SPS) 31.01(2)(b) by providing private detective services as an independent contractor.

6. As a result of the violations noted in the Conclusions of Law, Respondent Bridget M. Mahony is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)2 and 4 and Wis. Admin. Code § RL (now SPS) 35.01.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Bridget M. Mahony is hereby REPRIMANDED.
3. Within 90 days of the date of this Order, Respondent Mahony shall pay COSTS of this matter in the amount of \$395.00.
4. Payment 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. 63-7006) 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, Chief Legal Counsel
On Behalf of the Department

7/11/12

Date