

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

RICHARD G. KRACKOW,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0001926**

Division of Enforcement Case No. 12 AUC 005

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

Richard G. Krackow
316 West River Street
Arcadia, WI 54612

Wisconsin Auctioneer Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Enforcement
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 Auctioneer Board (Board). 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 Richard G. Krackow (dob 07/23/1944) is licensed in the State of Wisconsin as an Auctioneer, having license number 52-115, first issued on March 1, 1995 and current through December 14, 2012. Respondent Krackow's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 316 West River Street, Arcadia, WI 54612.

2. Respondent Krackow's auctioneer license expired on December 15, 2008 and was renewed on April 4, 2012.

3. Respondent Krackow performed 26 auctions from January 1, 2009 to April 4, 2012, while his auctioneer license was expired.

4. Respondent Krackow failed to include a statement that he is a "registered Wisconsin auctioneer" on an auction advertisement.

5. In resolution of this matter, Respondent Krackow consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Auctioneer Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 480.24, 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 Krackow violated Wis. Stat. § 480.08(1)(a) by acting as an auctioneer while his license was expired.

3. By the conduct described in the Findings of Fact, Respondent Krackow violated Wis. Stat. § 480.20(2) and Wis. Admin. Code § RL (now SPS) 123.03(2) by failing to include a statement that he is a "registered Wisconsin auctioneer" and his state registration number in an advertisement.

4. As a result of the above violations, Respondent Krackow is subject to discipline pursuant to Wis. Stat. § 480.24(2)(j).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.

2. Respondent Krackow is hereby REPRIMANDED.

3. Within 90 days of the date of this Order, Respondent Krackow shall pay COSTS of this matter in the amount of \$259.00.

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

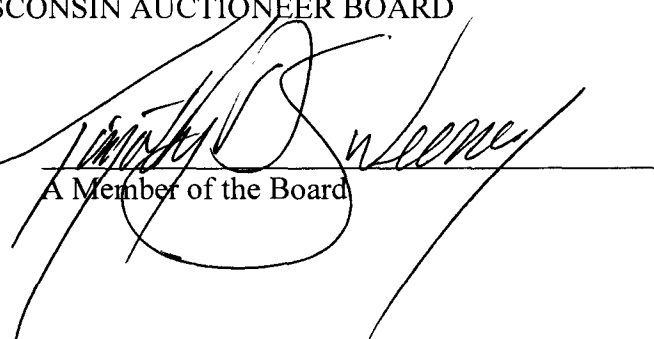
5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of

Respondent's license. The 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, Respondent's license (no. 52-115) may, in the discretion of the Board or its designee, 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 AUCTIONEER BOARD

by:


A Member of the Board

7-17-2012
Date