

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

PETER BECKLEY,  
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0001975

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Division of Enforcement Case No. 11 REB 040

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

Peter Beckley  
624 West Seymour Street  
Appleton, WI 54915-1249

Wisconsin Real Estate Examining 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 Wisconsin Real Estate Examining 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 Peter Beckley (dob 2/7/1940) is licensed in the State of Wisconsin as a real estate broker, having license number 90-29528, first issued on 9/2/1983 and current through 12/14/2012. Mr. Beckley's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 624 W. Seymour Street, Appleton, WI 54915-1249.

2. By letter dated April 28, 2011, Mr. Beckley's employer notified the Department that on February 17, 2010, Mr. Beckley was cited for operating while under the influence.

3. Court records show that on January 5, 2011, in Outagamie County Circuit Court (case number 2010CT000346), Mr. Beckley was convicted of Operating While Under Influence (4th), a misdemeanor. A charge of operating while revoked was dismissed but read in. Mr. Beckley's sentence included 10 days in jail, 110 days on electronic monitoring GPS, 18 months probation, ignition interlock for one year, AODA assessment and treatment, a requirement of absolute sobriety, and revocation of his driver's license for 36 months.

4. Mr. Beckley did not know that he was required to notify the Department of this conviction and he had not notified the Department of this conviction before his employer provided notification by letter dated April 28, 2011. Mr. Beckley notified his broker employer of the conviction immediately after he was convicted.

5. Court records obtained by the Department show that on December 11, 2008, in Winnebago County Circuit Court (case number 2008CT000736), Mr. Beckley was convicted of Operating While Under Influence (3rd), a misdemeanor. Mr. Beckley was sentenced to 60 days on electronic monitoring GPS and his driver's license was revoked for 2 years. Mr. Beckley was granted an occupational license during the period that his driver's license was revoked.

6. Mr. Beckley did not know that he was required to notify the Department of this conviction and he never notified the Department of his December 11, 2008 conviction. Mr. Beckley notified his broker employer of the conviction immediately after he was convicted.

7. Mr. Beckley states that he has never used alcohol while engaged in the practice of real estate.

8. Before Mr. Beckley was sentenced in case number 2010CT000346, he successfully completed outpatient treatment for alcohol abuse from ThedaCare Behavioral Health Clinic in Menasha, WI.

9. For all practical purposes, Mr. Beckley was unable to practice real estate for one year between January 5, 2011 and January 5, 2012 because his driver's license was revoked. In January 2012, Mr. Beckley obtained an occupational driver's license that allows him to drive for work.

#### 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 the Findings of Fact, Respondent Peter Beckley violated Wis. Admin. Code § RL (now REEB) 24.17(1) by violating a law the circumstances of which substantially relate to the practice of a real estate broker.

3. By the conduct described in the Findings of Fact, Respondent Peter Beckley violated Wis. Admin. Code § RL (now SPS) 4.09 by failing to report his conviction within 48 hours after entry of the judgment of conviction.

4. As a result of the above violations, Respondent Peter G. Beckley is subject to discipline pursuant to Wis. Stat. § 452.14(3)(i) and Wis. Admin. Code § REEB 24.17(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. The real estate broker license issued to Respondent Peter Beckley (license number 90-29528) is SUSPENDED for 60 days retroactively commencing January 5, 2011. This suspension has been fully served as of the date of this Order.
3. The real estate broker license issued to Respondent Peter Beckley (license number 90-29528) is LIMITED as follows:
  - a. Respondent shall comply with all terms of any criminal sentences.
  - b. Respondent shall not drive in the practice of real estate without possession of a current driver's license.
  - c. Respondent shall provide a copy of this order to all employers who may employ him to practice real estate.
  - d. If Respondent is employed in real estate practice, Respondent shall arrange for his employer to file written reports with the Department Monitor on a quarterly basis, as directed by the Department Monitor. The reports shall assess Respondent's work performance. Respondent shall arrange for agreement by his employer to immediately report to the Department Monitor any conduct or condition of Respondent that may constitute a violation of this Order or a danger to the public.
  - e. This limitation shall be removed on January 5, 2014.
4. Respondent is responsible for compliance with all terms and conditions of this Order, including the timely submission of reports by others.
5. Within 120 days of the date of this Order, Respondent Peter G. Beckley shall pay COSTS of this matter in the amount of \$400.
6. Reports and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent to the Department Monitor at the address below:

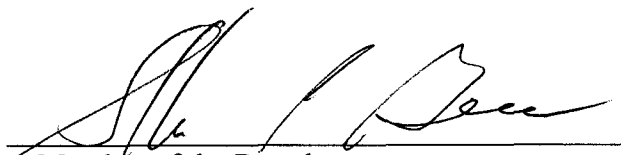
Department Monitor  
Division of Enforcement  
Department of Safety and Professional Services  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817, Fax (608) 266-2264

7. 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, or in the event the reports required in paragraph 3 above are not timely submitted, Respondent's license (no. 90-29528) 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 and the reports have been submitted.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by:

  
A Member of the Board

8-16-12  
Date