

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

JUDITH J. DITTON,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0002150

Division of Enforcement Case No. 12 REB 022

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

Judith J. Ditton
E4350 Kломsten Ridge
Coon Valley, WI 54623

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. Judith J. Ditton (Respondent) (dob 02/04/1951) is licensed in the State of Wisconsin as a Real Estate Salesperson, having license number 94-61343, first issued on 08/24/2004 and current through 12/14/2012. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is E4350 Kломsten Ridge, Coon Valley, Wisconsin 54623.

2. At all times relevant to this proceeding, Respondent worked as a real estate salesperson at Cindy Gerke & Associates, Inc., located in Onalaska, Wisconsin.

3. On 05/21/2010, Clients R.B. and M.B. signed a contract to have Respondent list the clients' land in Trempealeau, Wisconsin. The listing contract was to expire on 04/30/2011.

4. Prior to 04/30/2011, when the listing contract was due to expire, Respondent sent the clients an amendment to the listing contract which would extend the contract. Respondent called Client R.B. and believed that the clients wished to extend the contract.

5. By 04/30/2011, Clients R.B. and M.B. had not signed and returned the amendment that would extend the existing listing contract. To avoid the listing being taken down, Respondent forged the clients' signatures on the amendment while waiting to receive the signed amendment. The forged amendment changed the listing contract expiration date to 08/30/2011.

6. On 08/28/2011, Respondent again forged the clients' signature on a second amendment, changing the expiration date of the listing contract to 05/31/2012.

7. Clients R.B. and M.B. did not authorize Respondent to sign the amendments on their behalf. Clients R.B. and M.B. were not aware that Respondent had signed the amendments or that their listing contract with Respondent had been extended.

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 violated Wis. Admin. Code § RL (now REEB) 24.03(2)(b) by forging Client R.B.'s and Client M.B.'s signatures on two contract amendments.

3. As a result of the above violations, Respondents is subject to discipline pursuant to Wis. Stat. §§ 452.14(3)(i), (k) and (L).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is accepted.
2. Respondent Judith J. Ditton (license no. 94-61343) is REPRIMANDED.
3. The Real Estate Salesperson license of Respondent (license no. 94-61343) is LIMITED as follows:
 - a. Respondent shall, within ninety (90) days of the date of this Order, successfully complete three (3) hours of education in ethics offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the courses.

- b. Respondent shall submit proof of completion in the form of verification from the institution providing the education to 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 or Wisconsin Department of Safety and Professional Services, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within ninety (90) days of the date of this Order, Respondent shall pay COSTS of this matter in the amount of FIVE HUNDRED DOLLARS (\$500.00).

5. Proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be mailed, faxed or delivered to the Department Monitor at the address below:

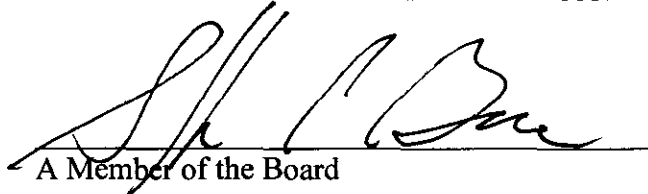
Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 261-7904, Fax (608) 266-2264

6. 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 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 submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 94-61343) 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 completion of the education.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by:


A Member of the Board

11-15-12
Date