

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

HEINRICH A GOBEL,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER
ORDER 0002155

Division of Enforcement Case No. 12 REB 059

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

Heinrich A. Gobel
W9574 Blue Jay Way
Cambridge, WI 53523

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 Heinrich A. Gobel (dob 06/26/1968) is licensed in the State of Wisconsin as a Real Estate Broker, having license number 90-47825, first issued on 01/26/1995 and current through 12/14/2012. Heinrich A. Gobel's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W9574 Blue Jay Way, Cambridge, WI 53523.

2. On May 11, 2012, Respondent submitted a Report of Conviction to the Department via email.

3. Court records obtained from Respondent revealed that on April 12, 2012, Respondent was charged with knowingly and without authorization converting to his own use \$923 from the Department of Housing and Urban Development (HUD) that Respondent obtained by submitting false information to HUD, in violation of Title 18, United States Code, Section 641 (W.D. Wis. Case No. 12-cr-00052-wmc).

4. On July 19, 2012, Respondent was convicted of Theft of Government Property, a Class A misdemeanor, and was sentenced to one year of probation, payment of a \$25 criminal assessment penalty, and payment of restitution in the amount of \$9,930.

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, Heinrich A. Gobel violated Wis. Admin. Code § REEB 24.17(1) by violating a law the circumstances of which substantially relate to the practice of a real estate broker.

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

ORDER

1. The attached Stipulation is accepted.

2. The Real Estate Broker License issued to Heinrich A. Gobel is **SUSPENDED** for a period of 5 days beginning 15 days after the date of this order.

3. The Real Estate Broker License issued to Heinrich A. Gobel (license number 90-47825) is **LIMITED** as follows:

a. Respondent shall successfully complete probation as ordered by the Western District of Wisconsin.

b. Respondent shall cause his probation officer to provide written verification to the Board or its designee of continuing compliance with probation on a quarterly basis, with the first report being due 30 days from the date of this order.

c. Respondent shall submit proof of successful completion of probation in the form of verification from the Western District of Wisconsin to the Department Monitor's address stated below.

d. This limitation shall be removed from Respondent's license after he has satisfied the Board or its designee that he has successfully completed the ordered probation.

5. Quarterly reports from Respondent's probation officer, proof of successful completion of probation and 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
DSPSMonitoring@wisconsin.gov

6. In the event Respondent Gobel fails to successfully complete the probation as ordered by the United States District Court for the Western District of Wisconsin on July 19, 2012, Respondent's license (no. 90-47825) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until such time as Respondent petitions the Board for removal of the suspension and that petition is granted.

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, Respondent's license (no. 90-47825) 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.

8. 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