

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR
A REAL ESTATE BROKER LICENSE

KEVIN M. SPENCER
APPLICANT

:
:
:
:
:

ORDER GRANTING
LIMITED LICENSE

ORDER 0002170

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

KEVIN M. SPENCER
108 E COOK ST
NEW LONDON WI 54961

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
1400 EAST WASHINGTON AVENUE
P.O. BOX 8935
MADISON WI 53708-8935

FINDINGS OF FACT

1. KEVIN M. SPENCER (Applicant) has filed an application for a credential to practice as a real estate broker in Wisconsin.
2. Information received in the application process reflects that on or about 2/28/2002, Applicant was convicted of violation of Wis. Stat. § 943.10(1)(A) BURGLARY-BUILDING OR DWELLING (2 COUNTS); and on or about 5/15/2003, Applicant was convicted of violation of Wis. Stat. §§ 947.01, 968 DISORDERLY CONDUCT-DOMESTIC ABUSE RELATED; and on or about 1/11/2005 Applicant was convicted of violation of Wis. Stat. §§ 943.10(1)(A), 939.62(1)(B) BURGLARY-BUILDING OR DWELLING-HABITUAL CRIMINALITY.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 452.05(1)(a).
2. The facts and circumstances of the arrest referenced above substantially relate to the practice of a real estate broker. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. § 452.14(3).

ORDER

NOW, THEREFORE, IT IS ORDERED that KEVIN M. SPENCER is GRANTED a REAL ESTATE BROKER LICENSE subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Practice Limitations

1. Applicant will present a copy of this order to his supervisor at each realty agency that employs him.
2. Applicant will inform his supervisor of his conviction history.

Reporting Requirements

3. It is Applicant's responsibility to arrange for his broker supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall describe the Applicant's activities, describe how well the Applicant interacts with coworkers, and verify that he is in compliance with the laws governing the practice of a real estate broker and the terms of this Order.
4. Applicant shall report to the Department any change of employment status, residence, address or telephone number within five (5) days of the date of a change. Applicant shall in addition report any arrest or conviction within 48 hours of the arrest or entry of conviction. Applicant was not affiliated with an employer at the time of application. Reports shall begin when Applicant is affiliated with an employer.
5. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant

DEPARTMENT MONITOR

6. The Department Monitor is the individual designated by the department as its agent to coordinate compliance with the terms of this Order. Any requests, petitions, reports or other information required by this Order shall be mailed, faxed or delivered to:

DEPARTMENT MONITOR
Department of Safety and Professional Services
Division of Enforcement
1400 East Washington Ave., P.O. Box 8935
Madison, WI 53708-8935
Fax: (608) 266-2264
Telephone: (608) 267-3817

Petitions for Modification

7. Applicant may petition the Department for modification of the terms of this Order after completion of one year of practice in compliance with all terms and conditions of this Order. Applicant's petition must include his history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling one year of practice. Any such petition shall be accompanied by a written recommendation from Applicant's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment, and (if applicable) his treatment provider expressly supporting the specific modifications sought. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stats. §§ 227.01(3), or 227.42, or Wis. Admin. Code ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

Costs

8. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Summary Suspension/Additional Discipline

9. 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 that the Respondent fails to submit quarterly reports as ordered, Respondent's license may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this order.

Dated at Madison, Wisconsin this 14 day of November, 2012



Mojgan Hall, Executive Director
On behalf of the Real Estate Examining Board
Safety and Professional Services