

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:  
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STATE OF WISCONSIN  
REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF THE  
APPLICATION FOR LICENSURE AS  
A REAL ESTATE SALESPERSON OF

JOCK L. PHENIX,  
APPLICANT.

ORDER FOR  
LIMITED LICENSE

ORDER 0002215

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

Jock L. Phenix  
5536A North 34<sup>th</sup> Street  
Milwaukee, Wisconsin 53209

Wisconsin Real Estate Examining Board  
1400 East Washington Avenue  
Madison, Wisconsin 53703

FINDINGS OF FACT

1. Jock L. Phenix has filed an application for a credential to practice as a real estate salesperson in Wisconsin.
2. Information received in the application process reflects that over the period starting in January 1995 and ending in October 2009, Applicant was convicted of several crimes, both misdemeanors and felonies, that included Possession of Controlled Substances and Possession of Controlled Substances with Intent to Deliver.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter under Wis. Stat. §§ 15.08(5)(b) and (c), 452.03, and 452.05.
2. The facts and circumstances of the convictions referenced above substantially relate to the practice of a real estate salesperson in that they evidence Applicant's long-running pattern of non-compliance with the laws of this state, and of alcohol and/or drug abuse. Applicant's criminal history demonstrates that granting him full and unfettered licensure at this time would pose too great a risk to public safety in general, and to his potential clients and customers specifically.
3. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. § 452.14.

## ORDER

NOW, THEREFORE, IT IS ORDERED that Jock L. Phenix, Applicant, is GRANTED a REAL ESTATE SALESPERSON LICENSE subject to the following LIMITATIONS, TERMS AND CONDITIONS:

### Practice Limitations

1. For one year from the issue date of this limited license, Applicant must be under direct supervision when practicing as a real estate salesperson. The supervisor must be a broker who agrees to serve in this capacity and who has been approved by the Board.
2. For the second year, Applicant must be under general supervision when practicing as a real estate salesperson. The supervisor must be a broker who has agreed to serve in this capacity and has been approved by the Board.
3. During the two years of his supervision, Applicant's supervisor(s) must submit quarterly written reports to the Board regarding the Applicant's performance in practice, his progress, and any issues or concerns.
4. Applicant must comply with all terms and conditions of his parole and correctional supervision at all times until final discharge from both and while still under the limitations imposed on his real estate salesperson license.
5. Any petition for a broker's license will not be considered by the Board until the Applicant has completed two years of successful sales practice under these limitations.

### Department Monitor

The Department Monitor is the individual designated by the Board 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 Legal Services and Compliance  
1400 East Washington Ave., P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264  
Telephone: (608) 267-3817

### Petitions for Modification

Applicant may petition the Department for modification of the terms of this Order after completion of two years 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, providing the dates and names of any employer, such employment in total equaling two years 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. 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.

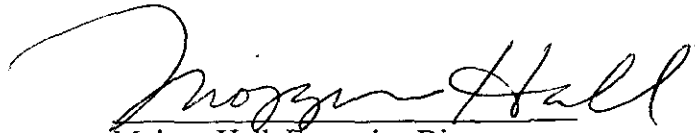
Costs

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

Summary Suspension/Additional Discipline

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

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

A handwritten signature in cursive script, reading "Mojgan Hall".

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