

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ROBERT J. BEISBIER, JR.,  
RESPONDENT.

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FINAL DECISION AND ORDER

ORDER 0002472

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Division of Legal Services and Compliance Case No. 13 RHI 003

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

Robert J. Beisbier, Jr.  
S95 W32855 Hickorywood Trl.  
Mukwonago, WI 53149

Wisconsin Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Legal Services and Compliance  
Wisconsin 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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Robert J. Beisbier, Jr. (dob July 6, 1963) is licensed in the State of Wisconsin as a Home Inspector, having license number 1035-106, first issued on June 29, 2001 and current through December 14, 2014. Respondent's most recent address on file with the Department is S95 W32855 Hickorywood Trail, Mukwonago, Wisconsin 53149.

2. On or about March 6, 2013, Respondent performed a home inspection for a property located at 1015 Katherine Drive, Elm Grove, Wisconsin 53122.

3. On or about March 13, 2013, the Department received a complaint alleging that there were many problems with Respondent's home inspection and home inspection report of the subject property. Division of Legal Services and Compliance Case Number 13 RHI 003 was subsequently opened for investigation.

4. During the Department's investigation, the following omissions and deficiencies were identified in the home inspection report:

- a. Inadequate report on condition of roof;
- b. Failure to report condition of stoops and steps;
- c. Failure to report condition of entry doors, garage door and windows;
- d. Failure to properly report electrical service, amperage and grounding of receptacles;
- e. Failure to report condition of separation walk between garage and living area;
- f. Inadequate report on heating and ventilation;
- g. Failure to report on condition of foundation;
- h. Inclusion of photographs of items not existing in the home, without clearly indicating absence in the home inspection report; and
- i. Use of boilerplate language to report on specifics of subject property.

5. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.978, 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. Stat. § 440.975(2) and Wis. Admin. Code § SPS 134.02(1) by failing to perform a reasonably competent and diligent inspection.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § SPS 134.03 by failing to inspect, and report on, all of the required items that were present on the property at the time of the home inspection.

4. As a result of the violations noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 440.978(2)(b) and (m).

## ORDER

1. The attached Stipulation is accepted.
2. Respondent Robert J. Beisbier, Jr. is REPRIMANDED.
3. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$574.00.

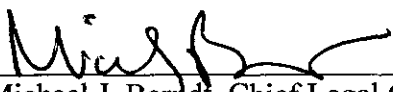
4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
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

5. 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 Respondent fails to timely submit payment of the costs as ordered and as set forth above, Respondent's license (no. 1035-106) may, in the discretion of the Department, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By:   
Michael J. Berndt, Chief Legal Counsel  
On Behalf of the Department

6/12/13  
Date