

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

TARA L. MCDONALD,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER

:
:
ORDER 0002575

Division of Legal Services and Compliance¹ Case No. 12 REB 056

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

Tara L. McDonald
1243 River Rd.
Wisconsin Dells, WI 53965

Wisconsin Real Estate Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
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 Tara L. McDonald (dob August 1, 1983) is licensed in the State of Wisconsin as a Timeshare Salesperson, having license number 2396-93, first issued on September 7, 2006 and current through December 14, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1243 River Road, Wisconsin Dells, Wisconsin 53965.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. On or about March 25, 2008, Respondent completed a purchase agreement related to the sale of a timeshare. The purchase agreement contained Florida statutory, contractual, and timeshare references, along with references to Wisconsin statutory timeshare purchase agreement cancellation provisions.

3. The purchase agreement form had not been approved by the Board.

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

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. Stat. § 452.025(3)(b)2. by completing a purchase agreement that had not been approved by the Board.

3. As a result of the above violation, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(L) and (m) and Wis. Stat. § 452.14(4m)(a).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Tara L. McDonald is REPRIMANDED.

3. The Timeshare Salesperson license issued to Respondent McDonald (license number 2396-93) is LIMITED as follows:

a. Within 90 days of the date of this Order, Respondent shall successfully complete 3 hours of education on the topic ethics offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the course(s).

b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at 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 Department, 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 and Respondent will be granted a full, unrestricted license after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education.

4. Within 90 days from the date of this Order, Respondent shall pay a FORFEITURE in the amount of \$250.00 and COSTS of this matter in the amount of \$141.00.

5. Proof of successful course completion and payment of the forfeiture and costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

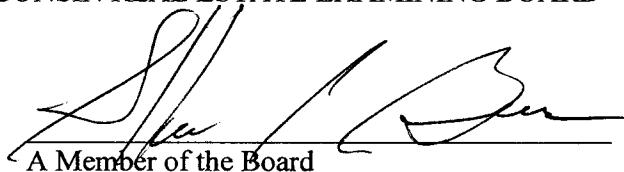
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

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 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 forfeiture and costs as ordered or fails to submit proof of successful completion of the ordered education as set forth above, Respondent's license (no. 2396-93) 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 forfeiture and 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

8-22-13
Date