

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- 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/wscga>

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**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

1. MICHAEL DIEBEL (Applicant) 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 the Applicant was convicted of the following violations:
  - a. On or about 03/2006 – Failure To Obey Semaphore
  - b. On or about 11/2006 – Speeding
  - c. On or about 02/2007 – Small Amount of Marijuana As A Passenger
  - d. On or about 05/2007 – Careless Driving
  - e. On or about 04/2008 – Speeding
  - f. On or about 05/2008 – Disorderly Conduct
  - g. On or about 08/2008 – Underage Drinking
  - h. On or about 11/2008 – Disorderly Conduct
  - i. On or about 11/2008 – Underage Drinking
  - j. On or about 02/2010 – Inattentive Driving
  - k. On or about 07/2010 – Speeding
  - l. On or about 06/2011 – DWI
  - m. On or about 08/2011 – DWI
  - n. On or about 12/2011 – No Drivers License In Possession

### 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 convictions(s) referenced above substantially relate to the practice of a real estate salesperson.
3. Applicant by his conduct is subject to action against Applicant's license pursuant to Wis. Stat. § 452.14(3).
4. Limitations upon the license of the Applicant are necessary to ensure that he is competent to act in a manner which safeguards the interests of the public.

### **ORDER**

NOW, THEREFORE, IT IS ORDERED that MICHAEL DIEBEL is GRANTED A REAL ESTATE SALESPERSON LICENSE subject to the following LIMITATIONS, TERMS AND CONDITIONS:

#### Practice Limitations

1. Applicant shall at all times practice as a real estate salesperson under the supervision of a Wisconsin licensed real estate broker approved by the Board. Approval shall be obtained through correspondence with the Department Monitor.
2. Applicant shall notify his broker/employer of his history of arrests and convictions prior to employment, and shall provide a copy of this Order to Applicant's supervisor at all real estate business entities where Applicant works as a real estate salesperson.
3. Applicant shall commit no new violations of law, and shall report all law enforcement contacts leading to arrest, charge or conviction to the Department Monitor within 48 hours of any such event.
4. Applicant shall not operate a motor vehicle containing clients for a period of one year following the issuance of this license.

#### Reporting Requirements

5. Upon commencing employment, applicant shall arrange for written reports from his supervisors to be provided to Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall assess Applicant's work performance and describe the circumstances of his employment, including the nature and extent of the Applicant's sales

activities and whether he has practiced in compliance with all laws governing the practice of real estate.

6. 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.
7. Applicant shall report to the Department Monitor any change of employment status, residence, address, or telephone number within five (5) days of the date of the change.
8. 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 Legal Services & Compliance  
1400 East Washington Ave., P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264  
Telephone: (608) 267-3817

#### Petitions for Modification

9. Applicant may petition the Department Monitor 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 Applicant's history of employment from the effective date of this Order that states 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.

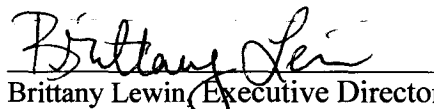
#### Costs

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

#### Summary Suspension/Additional Discipline

11. 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 submit quarterly reports as ordered, Applicant's license may, in the discretion of the Real Estate Examining 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 23 day of January, 2014

  
Brittany Lewin, Executive Director

On behalf of the Real Estate Examining Board

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF APPLICATION FOR  
A REAL ESTATE SALESPERSON LICENSE

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**STIPULATION**

MICHAEL DIEBEL  
APPLICANT

**0003117**

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It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Real Estate Examining Board as follows:

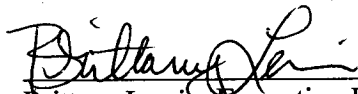
The Applicant has filed an application for a real estate salesperson license. Information received by the Department reflects a basis for denial of the application for a credential. Based upon the information of record herein, the Department agrees to issue and the Applicant agrees to accept an Order Granting a Limited License as a real estate salesperson subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this 6 day of February, 2014

  
Michael Diebel, Applicant

STATE OF WISCONSIN  
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Dated this 23 day of January, 2014

By:   
Brittany Lewin, Executive Director  
On behalf of the Real Estate Examining Board