

## 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/wscca>

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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. PHILIP PRAHL (Applicant) has filed an application to renew his credential (#54530-94) to practice as a real estate salesperson in Wisconsin.
2. Applicant first applied for a real estate salesperson credential on or about April 1, 2002. Information received during that application process reflected that the Applicant had the following conviction:
  - a. On or about January 5, 2007 – Carrying a Concealed Weapon, a class A misdemeanor, in violation of Wis. Stat. § 941.23.
3. As a result of this conviction, the Applicant was offered and accepted a Limited License as a real estate salesperson, credential # 54530-94, per Order # LS-0710292-REB.
  - a. The Order required Mr. Prah1 not be in possession of a firearm on his person while engaging in face-to-face contact in any real estate activity, including property management.
  - b. The Order required that the gun restriction continue for a minimum of two years following the issuance of the Order. After two years, the Order allowed Mr. Prah1 the opportunity to petition the Board for its removal. Mr. Prah1 has not made any petition to the Board to remove this restriction.
4. On December 9, 2014 the Applicant applied to renew his credential. Information received in the application process further reflects that the Applicant has the following additional convictions:

- a. On or about November 25, 2008 – Disorderly Conduct, a county ordinance violation.
- b. On or about March 2, 2010 – Disorderly Conduct, a county ordinance violation.
- c. On or about June 20, 2013 – Disorderly Conduct, a class B misdemeanor, in violation of Wis. Stat. § 947.01.

#### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter pursuant to Wis. Stat. §§ 15.08(5)(c), 440.08(4), and 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. The denial of this application for renewal of this real estate salesperson credential is necessary to protect the public health, safety or welfare pursuant to Wis. Stat. § 440.08(4).
4. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. §§ 452.03, 452.14(3) and 440.08(4).
5. Limitations upon Applicant's license are necessary to ensure that he is competent to act in a manner which safeguards the interests of the public, pursuant to Wis. Stat. § 452.03.

#### **ORDER**

NOW, THEREFORE, IT IS ORDERED that PHILIP PRAHL 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 his supervisor(s) at all business entities where he 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, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within 48 hours of any such event, including any conviction resulting from any pending charge(s).
4. Applicant shall not be in possession of a firearm on his person while engaging in face-to-face contact in any real estate activity, including property management. See Order LS-0710292-REB dated April 24, 2008.

### Reporting Requirements

5. Applicant shall file with the Board quarterly reports at the direction of the Department Monitor commencing ninety (90) days after Applicant commences employment. Each report shall include the following:
  - a. The name, address and telephone number of the Applicant, and name, address and telephone number of his employer;
  - b. A statement from the Applicant as to whether he has had any law enforcement contacts leading to arrest, charge or conviction (including DWI/OWI and municipal/ordinance violations) during the term of the Order.
  - c. 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 a change.
6. Applicant shall arrange for written reports from his supervisor(s) 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 sales.
7. 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.
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 7190  
Madison, WI 53707-7190  
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 two years of practice in compliance with all terms and conditions of this Order. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board. 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 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. Stat. §§ 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 18 day of February, 2015

Stephen Beers

Stephen Beers, Chairperson  
Real Estate Examining Board

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR  
RENEWAL OF A REAL ESTATE  
SALESPERSON LICENSE

PHILIP PRAHL  
APPLICANT

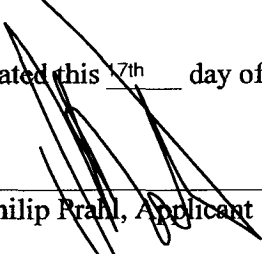
STIPULATION

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

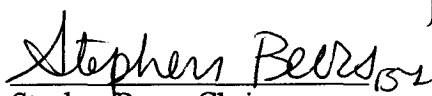
The Applicant has filed an application for renewal of his real estate salesperson license. Information received by the Board reflects a basis for denial of the application for renewal of the credential. Based upon the information of record, the Board agrees to issue and the Applicant agrees to accept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

Dated this 17th day of february, 2015

  
Philip Prah, Applicant

STATE OF WISCONSIN  
REAL ESTATE EXAMINING BOARD

Dated this 18 day of February, 2015

By:   
Stephen Beers, Chairperson  
Real Estate Examining Board