

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF APPLICATION FOR	:	
HOME INSPECTOR REGISTRATION FOR	:	ORDER GRANTING
	:	LIMITED LICENSE
AUSTIN SWADE	:	
APPLICANT	:	0004038

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

AUSTIN SWADE
228 N ONEIDA STREET
GREEN BAY, WI 54303

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
1400 EAST WASHINGTON AVENUE
P.O. BOX 8935
MADISON WI 53708-8935

FINDINGS OF FACT

1. AUSTIN SWADE (Applicant) has filed an application (# 533674) for a credential to practice as a home inspector in Wisconsin.
2. Information received in the application process reflects that the Applicant has an arrest and offense history that includes the following violations:
 - On or about November 10, 2010 – Operating While Intoxicated (1st)
 - On or about August 26, 2008 – Damage to Property

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction over this matter pursuant to Wis. Stat. §§ 440.9712 and 440.972.
2. The facts and circumstances of the violations referenced above substantially relate to the practice of a home inspector. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. § 440.978(2) and Wis. Admin. Code § 131.15.

ORDER

NOW, THEREFORE, IT IS ORDERED that AUSTIN SWADE shall be GRANTED a HOME INSPECTOR REGISTRATION subject to the following LIMITATIONS, TERMS AND CONDITIONS:

Practice Limitations

1. Applicant shall show a copy of this order to his current and any future employers.

Reporting Requirements

2. For a period of one (1) year, it is Applicant's responsibility to arrange for his home inspector supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, beginning ninety (90) days after Applicant commences employment. These reports shall describe the Applicant's activities and verify that he is in compliance with the laws governing the practice of a home inspector and the terms of this Order.
3. Applicant shall report to the Department any change of employment status, residence, address or telephone number within five (5) days of the date of a change. In addition, Applicant shall report any arrest or conviction within 48 hours of the arrest or entry of conviction.
4. 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 the Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant.

Department Monitor

5. 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
DSPSMonitoring@WI.gov

Petitions for Modification

6. Applicant may petition the Department for modification of the terms of this Order after completion of one (1) year 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 that states the dates and names of any employer, such employment in total equaling one year 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, and, if applicable, his treatment provider expressly supporting the specific modifications sought. 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.

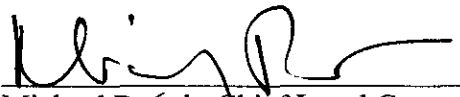
Summary Suspension/Additional Discipline

7. 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. Violation of any of the terms of this Order may also be construed as conduct that evidences a lack of knowledge or ability to apply professional principles or skills. 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 that the Applicant fails to submit quarterly reports as ordered, Applicant's license may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of this order.

Costs

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

Dated at Madison, Wisconsin this 3rd day of June, 2015.



Michael Berndt, Chief Legal Counsel
on behalf of the Department of Safety and Professional Services

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF APPLICATION FOR :
HOME INSPECTOR REGISTRATION FOR :

AUSTIN SWADE :
APPLICANT :

STIPULATION

0004038

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Department of Safety and Professional Services as follows:

The Applicant has filed an application for a home inspector registration. 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 home inspector registration subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this 2nd day of June, 2015.

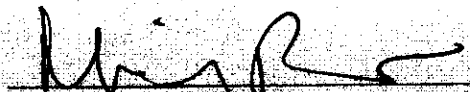


Austin Swade, Applicant

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Dated this 3rd day of June, 2015.

By:


Michael Berndt, Chief Legal Counsel