

## 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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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF APPLICATION FOR :  
PRIVATE SECURITY PERMIT FOR : ORDER GRANTING  
 : LIMITED LICENSE  
 ANDREW SOBAY :  
 APPLICANT : 0004244

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

ANDREW SOBAY  
2316 THOMAS STREET  
MARINETTE, WI 54143

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

FINDINGS OF FACT

1. ANDREW SOBAY (Applicant) has filed an application (# 544816) for a credential to practice as a private security person in Wisconsin.
2. Information received in the application process reflects that the Applicant has a conviction history that includes the following convictions:
  - On or about January 14, 2003 – Retail Fraud, 3<sup>rd</sup> Degree
  - On or about December 10, 2003 – Hunting/Shooting From a Safety Zone
  - On or about October 11, 2008 – Retail Theft

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction over this matter pursuant to Wis. Stat. § 440.26.
2. The facts and circumstances of the convictions referenced above substantially relate to the practice of a private security person. Applicant by his conduct is subject to action against his license pursuant to Wis. Stat. § 440.26.

## ORDER

NOW, THEREFORE, IT IS ORDERED that ANDREW SOBAY is GRANTED a PRIVATE SECURITY PERMIT 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. It is Applicant's responsibility to arrange for his security guard supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, beginning 90 days from the date of this Order. These reports shall describe the Applicant's activities and verify that he is in compliance with the laws governing the practice of a private security person 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  
dpsmonitoring@wi.gov

### Petitions for Modification

6. Applicant may petition the Department 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 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.

Costs

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

Summary Suspension/Additional Discipline

8. 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 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.

Dated at Madison, Wisconsin this 15<sup>th</sup> day of September, 2015.

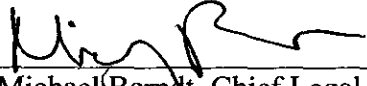


Michael Bernadt, Chief Legal Counsel  
on behalf of the Department of Safety and Professional Services

Please do not hesitate to contact the Department with any questions that arise. In the Madison area, call (608) 266-2112; outside Madison, call (877) 617-1565. When you reach a customer service representative, indicate that you are calling with questions about a limited license for a private security permit.

Thank you for your cooperation.

Sincerely,



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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

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IN THE MATTER OF APPLICATION FOR	:	
PRIVATE SECURITY PERMIT FOR	:	
	:	<b>STIPULATION</b>
ANDREW SOBAY	:	
APPLICANT	:	
	:	<b>0004244</b>

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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 private security permit. 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 private security permit subject to the terms and conditions set forth in the attached Order Adopting Stipulation.

Dated this 1st day of September, 2015.

  
Andrew Sobay, Applicant

STATE OF WISCONSIN  
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Dated this 15<sup>th</sup> day of September, 2015.

By:   
Michael Berndt, Chief Legal Counsel