

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- 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>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**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)

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

SCOTT B. SALAN AND  
UDONI & SALAN REALTY GROUP LLC,  
RESPONDENTS.

:  
:  
:  
:  
:  
:

FINAL DECISION AND ORDER

0004563

---

Division of Legal Services and Compliance Case No. 14 REB 077

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

Scott B. Salan  
120 E. Badger Street  
Waupaca, WI 54981

Udoni & Salan Realty Group LLC  
120 E. Badger Street  
Waupaca, WI 54981

Wisconsin Real Estate Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

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 Scott B. Salan (DOB July 12, 1967) is licensed by the State of Wisconsin as a Real Estate Broker, having license number 52811-90, first issued on March 2, 2005 and current through December 14, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 120 East Badger Street, Waupaca, Wisconsin 54981.

2. Respondent Udoni & Salan Realty Group LLC is licensed by the State of Wisconsin as a Real Estate Business Entity, having license number 701075-91, first issued on January 14, 2005 and current through December 14, 2016. Respondent's most recent address on file with the Department is 120 East Badger Street, Waupaca, Wisconsin 54981.

3. At all times relevant to this matter, Respondent Salan was a co-owner and broker-employer for Respondent Udoni & Salan Realty Group LLC.

4. On June 27, 2013, the Board entered a Final Decision and Order # 002499 against Respondent Scott Salan and Respondent Udoni & Salan Realty Group LLC through the conduct of Scott B. Salan. Respondent Salan was reprimanded for demonstrated incompetency to act as a real estate broker in a manner as to safeguard the public. Both Respondents were ordered to pay a \$400 forfeiture and \$164 in costs, and Respondent Salan's license was limited to require him to complete 12 hours of continuing education and to submit monthly reports to the Department for six months.

5. On January 2, 2014, the Board suspended Respondent Salan's license for his failure to comply with the provisions of the June 27, 2013 Order.

6. Respondent Salan asserts he never received notification of the suspension as ordered on January 2, 2014.

7. On June 9, 2014, Respondent Salan's suspension was terminated after he came into compliance with the Board's order.

8. Between January 2, 2014 and June 8, 2014, Respondent Salan, through Respondent Udoni & Salan Realty Group LLC, listed 11 properties with the Fox Valley Market Area MLS (RANW) while his license was suspended.

9. Respondents assert that no member, agent, employee or other representative of Udoni & Salan Realty Group, LLC, other than Respondent Salan, was aware of or otherwise involved in the violations as set forth herein.

10. In resolution of this matter, Respondents consent 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 Scott B. Salan violated Wis. Stat. § 452.03 by engaging in the practice of real estate without a license.

3. By the conduct described in the Findings of Fact, Respondent Udoni & Salan Realty Group LLC violated Wis. Admin. Code § REEB 24.17(3) by aiding and abetting the violation of Wis. Stat. § 452.03 by Respondent Scott B. Salan.

4. As a result of the above violations, Respondents Scott B. Salan and Udoni & Salan Realty Group LLC, through the conduct of Respondent Scott B. Salan, are subject to discipline pursuant to Wis. Stat. § 452.14(3)(L).

ORDER

1. The attached Stipulation is accepted.

2. The Real Estate Broker license issued to Respondent Scott B. Salan (license number 52811-90) is SUSPENDED for thirty (30) days for failure to comply with the terms of the January 2, 2014 Final Decision and Order, effective fifteen (15) days from the date of this Order. The suspension shall commence on March 4, 2016, and shall end on April 2, 2016. Respondent Scott B. Salan may resume practice as a Real Estate Broker under his license number 52811-90 on April 3, 2016.

3. Within ninety (90) days from the date of this Order, Respondent Scott B. Salan shall pay a forfeiture of \$1000.00 and one half of the COSTS of this matter in the amount of \$368.00.

4. Respondent Udoni & Salan Realty Group LLC is REPRIMANDED.

5. Within ninety (90) days from the date of this Order, Respondent Scott B. Salan on behalf of Udoni & Salan Realty Group LLC shall pay a forfeiture of \$500.00 and one half of the COSTS of this matter in the amount of \$368.00.

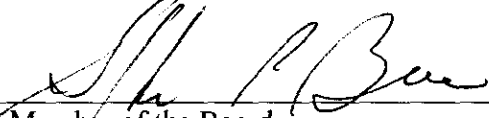
6. Payment of forfeitures and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DPSMonitoring@wisconsin.gov

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 Respondents' licenses. 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 Respondents fail to timely submit payment of the forfeitures and costs as ordered, Respondents' licenses (nos. 52811-90 and 701075-91), or Respondents' right to renew the licenses, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents has complied with payment of the forfeitures and costs.

8. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE EXAMINING BOARD

by:   
A Member of the Board

2-18-16  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

SCOTT B. SALAN AND  
UDONI & SALAN REALTY GROUP LLC,  
RESPONDENTS.

:  
:  
:  
:  
:  
:

STIPULATION

0004563

---

Division of Legal Services and Compliance Case No. 14 REB 077

Respondents Scott B. Salan and Udoni & Salan Realty Group LLC and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:


1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.
2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:
  - the right to a hearing on the allegations against Respondents, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
  - the right to confront and cross-examine the witnesses against Respondents;
  - the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
  - the right to testify on Respondents' own behalf;
  - the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
  - the right to petition for rehearing; and
  - all other applicable rights afforded to Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation.
4. Respondents agree to the adoption of the attached Final Decision and Order by the Wisconsin Real Estate Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.


6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondents, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondents are informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

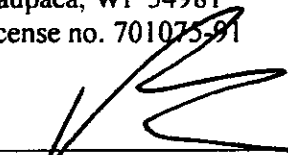
8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
\_\_\_\_\_  
Scott B. Salan, Respondent  
120 E. Badger Street  
Waupaca, WI 54981  
License no. 52811-90

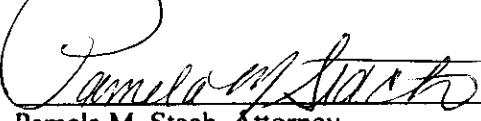
2/12/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Udoni & Salan Realty Group LLC, Respondent  
By: Scott B. Salan  
120 E. Badger Street  
Waupaca, WI 54981  
License no. 701075-91

2/12/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Paul D. Polacek, Attorney for Respondents  
Law Office of Paul Polacek S.C.  
P.O. Box 328  
Wisconsin Dells, WI 53965

2/15/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Pamela M. Stach, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

2/12/16  
\_\_\_\_\_  
Date