

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 DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
JACK SCHROEDER, :
RESPONDENT. :
 : **0004870**

Division of Legal Services and Compliance Case No. 15 COM 059

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

Jack Schroeder
W8983 County Road A
Crivitz, WI 54114

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin 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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Jack Schroeder is licensed in the State of Wisconsin as a Master Plumber – Restricted Service, having license number 674539, first issued on April 2, 2008, and current through March 31, 2020. Respondent’s most recent address on file with the Department is W8983 County Road A, Crivitz, Wis. 54114.
2. On or around June 26, 2015, Respondent performed work as a Master Plumber – Restricted Service at Robert Bohrer’s dwelling at 17825 E. Wheeler Lake Lane, Lakewood, WI 54138.
3. Respondent supervised Brandon Thoreson while he installed plastic leaching chambers, which is considered plumbing.
4. Brandon Thoreson did not possess a valid plumbing license at that time.
5. Respondent admitted to knowing that Brandon Thoreson was not licensed.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 145.10, 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 Jack Schroeder violated Wis. Admin. Code § SPS 305.91(6)(a), by committing misconduct by utilizing an unlicensed individual to install plumbing.

3. As a result of the violations noted in the Conclusions of Law, Respondent Jack Schroeder is subject to discipline pursuant to Wis. Stat. § 145.10(1)(am) and Wis. Admin. Code § SPS 305.10(2)(a)2.

ORDER

1. The attached Stipulation is accepted.

2. Respondent Jack Schroeder is SUSPENDED for TWO (2) WEEKS.


3. The suspension shall start thirty (30) days from the date of this Order.

4. Respondent Jack Schroeder may apply, after the suspension has expired, to have his license reinstated by filing a new application and payment of the appropriate fee specified in Wis. Admin. Code § SPS 305.02.

5. 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 Respondent'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.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: 
Michael J. Berndt, Chief Legal Counsel
On Behalf of the Department

Date 8/4/16

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : STIPULATION
JACK SCHROEDER, :
RESPONDENT. : 0004870

Division of Legal Services and Compliance Case No. 15 COM 059

Respondent Jack Schroeder and the Division of Legal Services and Compliance, Department of Safety and Professional Services (Department) stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, 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 Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's 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 Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. 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. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.


5. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the

Department 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 may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.


7. Respondent is informed that should the Department adopt this Stipulation, the Department'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 Respondent in recommending that the Department adopt this Stipulation.



Jack Schroeder, Respondent
W8983 County Road A
Crivitz, WI 54114

8-1-16
Date



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Department of Safety and Professional Services
Division of Legal Services and Compliance
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8/2/16
Date