

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

GEORGENE A. DUELLMAN,
RESPONDENT.

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FINAL DECISION AND ORDER

0005052

Division of Legal Services and Compliance Case No. 15 REB 085

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

Georgene A. Duellman
9165 Palmer Road
Wausauke, WI 54177

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 Georgene A. Duellman (DOB 06/21/1958) is licensed by the State of Wisconsin as a real estate broker, having license number 56240-90, first issued on December 27, 2010 and current through December 14, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 9165 Palmer Road, Wausauke, Wisconsin 54177.

2. On July 20, 2015, the Department received a complaint regarding a real estate transaction handled by Respondent. Division of Legal Services and Compliance Case No. 15 REB 085 was subsequently opened for investigation.

3. The Department's investigation revealed that Respondent did not adequately complete the transaction documents to reflect the agreement of the parties as follows:

- a. Respondent failed to include the correct and complete address for the subject property,
- b. Respondent left several lines in the financing contingency section blank, and
- c. Respondent failed to specify the type of survey to be completed.

4. The transaction failed to close due to a number of disputes between the seller and buyer, including the ambiguity around the survey and the property being purchased.

5. In resolution of this matter, Respondent consents 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 violated Wis. Stat. § 452.133(1)(b) by failing to provide brokerage services with reasonable skill and care.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 16.06(8) by failing to prepare approved forms in such a manner as to adequately accomplish the contractual intent of the person for whom the licensee uses the forms.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(L) and (4m)(b).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Georgene A. Duellman is REPRIMANDED.

3. The real estate broker license (number 56240-90) issued to Georgene A. Duellman is LIMITED as follows:

- a. Within 90 days of the date of this Order, Respondent shall successfully complete six hours of education on the topic of real estate contracts offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam(s) offered for the course(s).
- b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education

to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

4. Within 90 days from the date of this Order, Respondent shall pay the COSTS of this matter in the amount of \$408.

5. Payment of costs, made payable to the Wisconsin Department of Safety and Professional Services, requests for pre-approval and proof of successful course completion shall be 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
DSPSMonitoring@wisconsin.gov

6. In the event Respondent fails to timely submit payment of the costs as ordered, or fails to successfully complete the ordered education, Respondent's license (number 56240-90), or Respondent's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and successful completion of education.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by:

Michael Mulleady
A Member of the Board

12/1/16
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

GEORGENE A. DUELLMAN,
RESPONDENT.

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STIPULATION

0005052

Division of Legal Services and Compliance Case No. 15 REB 085

Respondent Georgene A. Duellman 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. 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. Respondent agrees 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. Respondent waives all rights to any appeal of the Board's order, if
adopted in the form as attached.

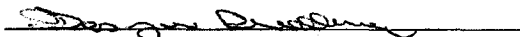
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not
be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

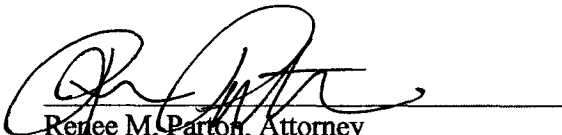
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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. Respondent is 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 Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Georgene A. Duellman, Respondent
9165 Palmer Road
Wausauke, WI 54177
License no. 56240-90

11/16/16
Date


Renee M. Parton, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

11/16/2016
Date