

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

CHRISTOPHER P. NASH AND
INTEGRITY GROUP LLC,
RESPONDENTS.

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FINAL DECISION AND ORDER

0005055

Division of Legal Services and Compliance Case No. 15 REB 103

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

Christopher P. Nash
675 N. Marion Ave.
Jefferson, WI 53549

Integrity Group LLC
238 S. Main St.
Jefferson, WI 53549

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 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 Christopher P. Nash (DOB 04/12/1962) is licensed by the State of Wisconsin as a real estate broker, having license number 40576-90, first issued on April 28, 1987 and current through December 14, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 675 North Marion Avenue, Jefferson, Wisconsin 53549.

2. Respondent Integrity Group LLC is licensed by the State of Wisconsin as a real estate business entity, having license number 701094-91, first issued on February 15, 2005 and current through December 14, 2016. Respondent's most recent address on file with the Department is 238 South Main Street, Jefferson, Wisconsin 53549.

3. Respondent Nash is a responsible broker for Respondent Integrity Group LLC and manages Integrity Group LLC's real estate trust account.

4. Respondents maintained a real estate trust account at FirstMerit Bank in Akron, Ohio, with account number ending in -76.

5. On November 4, 2015, an auditor with the Department concluded an audit of Respondents' trust account. The audit revealed the following:

- a. Respondents did not correctly prepare a trial balance;
- b. Respondents' trust account held real estate funds that should have been previously disbursed including, but not limited to, earnest money from a transaction in 2002 and earnest money from a transaction in 2009;
- c. Respondent Nash improperly adjusted the trust account by disbursing \$500 to himself;
- d. Respondents did not record all deposits in the account's journal; and
- e. Respondents' failure to accurately maintain records would not allow for a thorough review of their records by the Department auditor to ensure that all records were true and accurate.

6. 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, Christopher P. Nash violated Wis. Stat. § 452.133(1)(f) by failing to safeguard trust funds.

3. By the conduct described in the Findings of Fact, Christopher P. Nash violated Wis. Admin. Code § REEB 18.09(1) by improperly disbursing trust funds from his real estate trust account.

4. By the conduct described in the Findings of Fact, Christopher P. Nash violated Wis. Admin. Code § REEB 18.13(3) by failing to reconcile the real estate trust account in writing each month.

5. By the conduct described in the Findings of Fact, Christopher P. Nash violated Wis. Admin. Code § REEB 18.13(4) by failing to prepare a trial balance of all open items in the real estate trust account.

6. By the conduct described in the Findings of Fact, Christopher P. Nash violated Wis. Admin. Code § REEB 18.13(5) by failing to review the reconciled account statement balance, open ledger account listing, and the journal running balance to ensure that all of these records are valid and in agreement as of the date the account statement has been reconciled.

7. By the conduct described in the Findings of Fact, Integrity Group LLC violated Wis. Admin. Code § REEB 24.17(3) by aiding or abetting the above violations.

8. As a result of the above violations, Christopher P. Nash and Integrity Group LLC are subject to discipline pursuant to Wis. Stat. § 452.14(3)(h), (i), (L) and (4m).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Christopher P. Nash is REPRIMANDED.

3. Respondent Integrity Group LLC is REPRIMANDED.

4. Within 90 days from the date of this Order, Respondent Nash shall pay one-half of the COSTS of this matter in the amount of \$259.

5. Within 90 days from the date of this Order, Respondent Integrity Group LLC shall pay a FORFEITURE of \$500 and one-half of the COSTS of this matter in the amount of \$259.

6. Payment of forfeiture and costs, made payable to the Wisconsin Department of Safety and Professional Services, 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

7. In the event Respondents fail to timely submit payment of the forfeiture and costs as ordered, Respondents' licenses (nos. 40576-90 and 701094-91), or Respondents' right to renew their licenses, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of the forfeiture and costs.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: Michael Mullendy
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

CHRISTOPHER P. NASH AND
INTEGRITY GROUP LLC,
RESPONDENTS.

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STIPULATION

0005055

Division of Legal Services and Compliance Case No. 15 REB 103

Respondents Christopher P. Nash and Integrity 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.

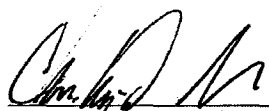
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Christopher P. Nash, Respondent
675 N. Marion Ave.
Jefferson, WI 53549
License no. 40576-90

10/24/16


Date



Integrity Group LLC, Respondent
By: Christopher P. Nash
238 S. Main St.
Jefferson, WI 53549
License no. 701094-91

10/24/16

Date



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

10/25/2016

Date