

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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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3. On or about July 7, 2012, Applicant was granted her Real Estate Broker license.
 - A. On or about November 8, 2010, Applicant was charged with Theft Over \$10,000 – Theft by Deception, a Class 2 felony in Illinois. This was later amended to the charge of Home Repair Fraud.
 - B. On Applicant's Application for her Broker license, Applicant answered "no" to the application question which asked whether she had any convictions or if criminal charges were currently pending against her.
 - C. In DLSC Case No. 13 REB 127, Applicant's Broker license was revoked for violating Wis. Stat. §§ 452.09(1)(e), 452.14(3)(a), and 452.14(3)(L), by failing to submit information on her application which the Department reasonably required and by instead submitting false information.
 - a. Applicant currently owes \$3,994.32 in costs for that proceeding.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter pursuant to Wis. Stat. §§ 452.05(1)(a) and 452.12(5), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).
2. The facts and circumstances of the convictions referenced above substantially relate to the practice of a real estate salesperson.
3. The facts and circumstances of the convictions referenced above demonstrate Applicant is not competent to act as a salesperson in a manner which safeguards the interests of the public pursuant to Wis. Stat. § 452.14(3)(i).
4. The facts, circumstances and conduct underlying Applicant's Felony Home Repair Fraud conviction constituted improper, fraudulent, or dishonest dealing, pursuant to Wis. Stat. § 452.14(3)(k).
5. Based on all of the facts from Applicant's application, the Board has the right to deny the Applicant's application for renewal to protect the public health, safety, or welfare, pursuant to Wis. Stat. § 440.08(4).
6. Pursuant to Wis. Stat. § 440.22(3), because the Board assessed costs of the proceeding in 13 REB 127, the Board may not renew or otherwise issue any credential to the Applicant until the Applicant has made payment to the Department, in the full amount assessed, together with any accrued interest.
7. Applicant, by her conduct, is subject to limitations against her license, pursuant to Wis. Stat. §§ 452.03, 452.14(3), and 440.08(4).

8. Limitations upon Applicant's license are necessary to ensure that she is competent to act in a manner which safeguards the interests of the public, pursuant to Wis. Stat. § 452.03.

ORDER

NOW, THEREFORE, IT IS ORDERED that CASEY EHLER is GRANTED A REAL ESTATE SALESPERSON LICENSE subject to the following LIMITATIONS, TERMS, AND CONDITIONS:

Costs Due in DLSC Case 13 REB 127

1. Prior to the issuance of Applicant's limited Real Estate Salesperson's license, Applicant shall submit an initial lump sum payment of no less than \$500.00, as a demonstration of good faith to pay the costs owed pursuant to Order 0004756. Payment shall be submitted to the Department of Safety and Professional Services Monitor (Department Monitor) at the address listed below.
 - a. Upon receipt of payment of the initial lump sum payment, Applicant's limited license shall be granted.
2. On a monthly basis, Applicant shall make payments in the amount of no less than \$100.00.
3. In the event Applicant fails to submit a payment, Applicant's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant submits satisfactory payment and has complied with the terms of the Order.
4. Applicant shall remain under the limitations set by this Order until the full amount of costs owed is paid.

Practice Limitations

5. Applicant shall, at all times, practice as a Real Estate Salesperson under the direct supervision of a Wisconsin licensed Real Estate Broker pre-approved by the Board. Approval shall be obtained through correspondence with the Department Monitor.
6. Applicant shall notify her broker-employer of her history of arrests and convictions prior to employment. Applicant shall show a copy of this Order to her current and any future employer. Applicant shall provide the Department Monitor with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitoring within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
7. Applicant shall commit no new violations of law, and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within 48 hours of any such event, including any conviction resulting from pending charges.
8. Applicant is prohibited from being involved in any financial transactions, handling any client funds, and is prohibited from accessing any trust accounts.

Reporting Requirements

9. Applicant shall file with the Board quarterly reports at the direction of the Department Monitor commencing ninety (90) days after Applicant commences any employment. Each report shall include the following:
 - a. The name, address and telephone number of Applicant, and name, address and telephone number of her employer;
 - b. A statement from the Applicant as to whether she has had any law enforcement contacts leading to arrest, charge or conviction (including DWI/OWI and municipal/ordinance violations) during the term of the Order.
 - c. Applicant shall report to the Department Monitor any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
10. Applicant shall arrange for written reports from her broker supervisor(s) to be provided to Department Monitor on a quarterly basis, at the direction of the Department Monitor commencing ninety (90) days after Applicant commences employment.
 - a. These reports shall assess:
 - i. Applicant's work performance,
 - ii. Describe the circumstances of Applicant's employment, including the nature and extent of the Applicant's sales activities,
 - iii. Discuss Applicant's honesty, credibility, and reliability,
 - iv. Explain whether Applicant has practiced in compliance with all laws governing the practice of real estate sales,
 - v. Assess whether Applicant is competent to act in a manner which safeguards the interests of the public, and
 - vi. Any other information the Board requests.
11. 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 Department Monitor of any suspected violations of any of the terms and conditions of this Order.
12. 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
dspsmonitoring@wi.gov

Petitions for Modification of Limitations or Termination of Order

13. Applicant shall pay the full amount of the costs assessed in DLSC case 13 REB 127, Order 0004756, before any petition for modification or termination will be considered.
14. Applicant may petition the Department Monitor for modification or termination of the terms of this Order after completion of at least two (2) years of active practice of real estate under Applicant's salesperson license and full payment of costs in Order 0004756. Applicant's practice must be in compliance with all terms and conditions of this Order.
 - a. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board.
15. Applicant's petition must include her history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling two (2) years of active real estate 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.
16. A denial of such a petition for modification shall not be deemed a denial of license under Wis. Stat. §§ 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

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

Suspension/Additional Discipline

18. In the event Applicant violates any term of this Order, Applicant's license may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant has complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

Dated at Madison, Wisconsin this 8th day of February, 2017

By: Randal Savaglio
Member of the Real Estate Examining Board

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR :
RENEWAL OF A REAL ESTATE :
SALESPERSON LICENSE :

CASEY EHLER :
APPLICANT :

STIPULATION

0005172

It is hereby stipulated between the above-referenced Applicant and the State of Wisconsin Real Estate Examining Board (Board) as follows:

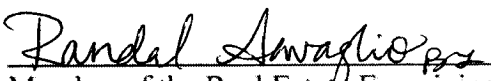
The Applicant has filed an application for renewal of her Real Estate Salesperson license. Information received by the Board reflects a basis for denial of the application for renewal. Based upon the information of record, the Board agrees to issue and the Applicant agrees to accept an Order Granting a Limited License to practice as a Real Estate Salesperson subject to the terms and conditions set forth in the attached Order.

Dated this 7th day of February, 2017


Casey Ehler, Applicant

STATE OF WISCONSIN
REAL ESTATE EXAMINING BOARD

Dated this 8th day of February, 2017

By: 
Member of the Real Estate Examining Board