

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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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR
A REAL ESTATE SALESPERSON
LICENSE

RICHARD KAISER
APPLICANT

:
:
:
:
:
:
:

ORDER GRANTING
LIMITED LICENSE

000536

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

RICHARD KAISER
1613 WEST 5TH STREET
MARSHFIELD WI 54449

REAL ESTATE EXAMINING BOARD
1400 EAST WASHINGTON AVENUE
P.O. BOX 8935
MADISON, WI 53708-8935

FINDINGS OF FACT

1. Richard Kaiser(Applicant) has filed an application (#616854) for a license to practice as a real estate salesperson in Wisconsin.
2. Information received in the application process reflects that the Applicant has the following violations and convictions on his record:
 - A. On or about December 1, 2002 – Disorderly Conduct, an ordinance violation.
 - B. On or about September 14, 2005 – OWI 1st Offense, an ordinance violation.
 - C. On or about May 12, 2009 – Operating with PAC of 0.08% or More 2nd Offense, a misdemeanor.
 - D. On or about December 16, 2009 – Disorderly Conduct, a misdemeanor.
 - E. On or about January 17, 2014 – Operating with PAC of 0.08% or More 3rd Offense, a misdemeanor.
 - F. On or about January 17, 2014 – Disorderly Conduct-Domestic Abuse, a misdemeanor.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 452.05(1)(a).

2. The facts and circumstances of the criminal record referenced above substantially relate to the practice of a real estate salesperson.
3. Applicant, by his conduct, is subject to limitations against his license, pursuant to Wis. Stat. §§ 452.03 and 452.14(3).
4. Limitations upon Applicant's certificate of registration are necessary to ensure that he 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 Richard Kaiser is GRANTED A REAL ESTATE SALESPERSON LICENSE subject to the following LIMITATIONS, TERMS, AND CONDITIONS:

Practice Limitations

1. Applicant shall, at all times, practice as a real estate salesperson under the supervision of a Wisconsin licensed real estate broker approved by the Board. Approval shall be obtained through correspondence with the Department Monitor.
2. Applicant shall notify his broker-employer of his history of arrests and convictions prior to employment. Applicant shall show a copy of this Order to his current and any future employer. Applicant shall provide the Department of Safety and Professional Services Monitor (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 Monitor 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.
3. Applicant shall commit no new violations of law, and shall report all law enforcement contacts leading to arrest, charge, or conviction, including DWI/OWI, to the Department Monitor within 48 hours of any such event, including any convictions resulting from pending charges.
4. Applicant shall not be permitted to drive current or prospective clients in a motor vehicle.

Reporting Requirements

5. Applicant shall file with the Board quarterly reports at the direction of the Department Monitor commencing ninety (90) days after Applicant commences employment. Each report shall include the following:
 - a. The name, address, and telephone number of Applicant, and name, address and telephone number of his employer.
 - b. A statement from the Applicant as to whether he has had any law enforcement contacts leading to arrest, charge, or conviction 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 the change.
6. Applicant shall arrange for written reports from his supervisor(s) to be provided to the Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall assess Applicant's work performance and describe the circumstances of his employment, including the nature and extent of the Applicant's sales activities and whether he has practiced in compliance with all laws governing the practice of real estate sales.
7. Applicant is responsible for compliance with all terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order.
8. 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
dspmonitoring@wi.gov

Petitions for Modification

9. Applicant may petition the Department Monitor for modification of the terms of this Order after completion of one year of practice in compliance with all terms and conditions of this Order. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board. Applicant's petition must include his history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling one year of 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. 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

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

Suspension

11. In the event the Applicant violates any term or condition of this Order, Applicant's license may, at the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Applicant has provided proof, which is determined by the Board or its

designee to be sufficient, that Applicant is in compliance with 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 5 day of December, 2017

By: Robert Webster Ek
A Member of the Real Estate Examining Board

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

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

RICHARD KAISER :
APPLICANT :

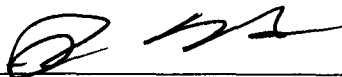
STIPULATION

0005536

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

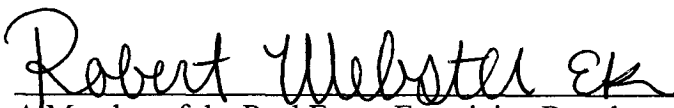
The Applicant has filed an application for a real estate salesperson license. Information received by the Board reflects a basis for denial of the application for a credential. Based upon the information of record, the Board agrees to issue, and the Applicant agrees to accept an Order Granting a Limited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

Dated this 30th day of November, 2017

By: 
Richard Kaiser, Applicant

STATE OF WISCONSIN
REAL ESTATE EXAMINING BOARD

Dated this 5 day of December, 2017

By: 
A Member of the Real Estate Examining Board