

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
LJL CONSTRUCTION, LTD., :
RESPONDENT. : 0005565

Division of Legal Services and Compliance Case No. 16 COM 216

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

LJL Construction, LTD.
5250 West Seven Mile Road
Caledonia, WI 53108

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 LJL Construction, Ltd. is certified in the State of Wisconsin as a Dwelling Contractor, having customer number 860918, first issued on June 25, 2001 and current through February 27, 2019. Respondent's most recent address on file with the Department is 5250 West Seven Mile Road, Caledonia, Wisconsin 53108.

2. On August 2, 2016, Respondent signed a contract with Complainant to perform some work, including installing a new patio door, at 217 South 7th Street, Condo 6, Waterford, Wisconsin 53185.

3. On October 24, 2016, Respondent installed the patio door.
4. The patio door installed was a different size than the prior patio door.
5. At the time of the installation, Respondent did not employ an individual with a Dwelling Contractor Qualifier certification.
6. Respondent did not obtain a uniform dwelling permit prior to installing the patio door.
7. The City of Waterford requires a uniform dwelling permit for this work.
8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 101.63(2m) 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 LJL Construction, Ltd. violated Wis. Admin. Code § SPS 320.08(1) by failing to obtain a uniform dwelling permit for the patio door installation.
3. By the conduct described in the Findings of Fact, Respondent LJL Construction, Ltd. violated Wis. Admin. Code §§ SPS 305.31(1)(b) and 305.31(4)(b) by failing to employ an individual with a Dwelling Contractor Qualifier certification when a uniform dwelling permit was required.
4. As a result of the violations noted in the Conclusions of Law, Respondent LJL Construction, Ltd. is subject to discipline pursuant to Wis. Admin. Code § SPS 305.10(1)(a)5. and 8.

ORDER

1. The attached Stipulation is accepted.
2. Respondent LJL Construction, Ltd.'s Dwelling Contractor certification is **SUSPENDED** for four days.
3. 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 certification. 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.

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Al Rohmeyer
Al Rohmeyer, Chief Legal Counsel
On Behalf of the Department

6/7/2018
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

LJL CONSTRUCTION, LTD.,
RESPONDENT.

:
:
:
:

STIPULATION
0005565

Division of Legal Services and Compliance Case No. 16 COM 216

Respondent LJL Construction, Ltd. 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. 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.

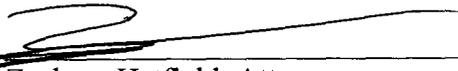
8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.



LJL Construction, Ltd., Respondent
5250 West Seven Mile Road
Caledonia, WI 53108

5-15-18

Date



Zachary Hetfield, Attorney
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Division of Legal Services and Compliance
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6/5/18

Date