

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

BRIAN C. BROADNAX AND
BREW CITY SECURITY, LLC,
RESPONDENTS.

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: 0005659
: FINAL DECISION AND ORDER
:
:
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Division of Legal Services and Compliance Case Nos. 16 RAL 026 and 16 RSG 013

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

Brian C. Broadnax
1314 West Burleigh Street
Milwaukee, WI 53206

Brew City Security, LLC
P.O. Box 91381
Milwaukee, WI 53209-8381

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 Brian C. Broadnax (DOB 09/29/1975) is permitted by the State of Wisconsin as a private security person, having license number 25241-108, first issued on

January 13, 2004 and expired on September 1, 2014. Respondent Broadnax's most recent address on file with the Department is 1314 West Burleigh Street, Milwaukee, Wisconsin 53206.

2. Respondent Brew City Security, LLC is licensed by the State of Wisconsin as a private detective agency, having license number 16919-62, first issued on July 30, 2012 and current through August 31, 2019 (expired from September 1, 2015 through January 24, 2018). Respondent Brew City Security, LLC's most recent address on file with the Department is P.O. Box 91381, Milwaukee, Wisconsin 53209-8381.

3. Respondent Broadnax's wife, A.D., passed away on February 12, 2015. A.D. was the president of record for Respondent Brew City Security, LLC. Subsequently, Respondent Broadnax became the president of Respondent Brew City Security, LLC.

4. On October 14, 2016, the Division of Legal Services and Compliance received information from the Division of Professional Credentialing Processing that Respondents were practicing without valid credentials and that there were lapses in the required liability insurance coverage for Respondent Brew City Security, LLC. DLSC Case Numbers 16 RAL 026 and 16 RSG 013 were subsequently opened for investigation.

5. The Department's investigation revealed the following:

- a. The required liability insurance coverage for Respondent Brew City Security, LLC was lapsed from June 27, 2014 to December 8, 2017.
- b. Respondent Brew City Security, LLC continued to practice as a private detective agency after its license was expired.
- c. Respondent Brew City Security, LLC assigned unpermitted private security persons to perform private security personnel duties.
- d. Respondent Broadnax practiced as a private security person without a current credential.

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 Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 440.08(3), Respondent Broadnax retains the right to renew his private security person permit through August 31, 2019.

3. By the conduct described in the Findings of Fact, Respondents Broadnax and Brew City Security, LLC engaged in conduct reflecting adversely on their professional

qualifications pursuant to Wis. Admin. Code § SPS 35.01(19) by practicing without a current credential.

4. By the conduct described in the Findings of Fact, Respondent Broadnax violated Wis. Stat. § 440.26(1) and Wis. Admin. Code § SPS 31.01(1) by engaging in the business of operating a private detective agency with an expired license and acting as a private security person with an expired permit.

5. By the conduct described in the Findings of Fact, Respondent Broadnax violated Wis. Stat. § 440.26(4) and Wis. Admin. Code § SPS 31.034(2) and engaged in conduct reflecting adversely on his professional qualification pursuant to Wis. Admin. Code § SPS 35.01(11) by failing to maintain a surety bond or liability policy.

6. By the conduct described in the Findings of Fact, Respondent Brew City Security, LLC violated Wis. Admin. Code §§ SPS 31.034(1) and (2) and engaged in conduct reflecting adversely on its professional qualification pursuant to Wis. Admin. Code § SPS 35.01(11) by failing to maintain a surety bond or liability policy.

7. By the conduct described in the Findings of Fact, Respondents Broadnax and Brew City Security, LLC engaged in conduct reflecting adversely on their professional qualifications pursuant to Wis. Admin. Code § SPS 35.01(13) by assigning persons to perform private security personnel duties who have not been issued a license or permit prior to performing the services.

8. As a result of the conduct and violations noted in the Conclusions of Law, Respondents are subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)2., 4. and 5. and Wis. Admin. Code §§ SPS 35.01 and 35.02.

ORDER

1. The attached Stipulation is accepted.
2. Respondent Brian C. Broadnax is REPRIMANDED.
3. Respondent Brew City Security, LLC is REPRIMANDED.
4. Within 90 days from the date of this Order, Respondent Brew City Security, LLC shall pay the COSTS of this matter in the amount of \$598.
5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent Brew City Security, LLC 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 Respondents violate any term of this Order, Respondents' credentials (nos. 25241-108 and 16919-62), or Respondents' right to renew their credentials, may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with the terms of the Order. The Department 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.

7. 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

3/16/2018
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

BRIAN C. BROADNAX AND
BREW CITY SECURITY, LLC,
RESPONDENTS.

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0005659

STIPULATION

Division of Legal Services and Compliance Case Nos. 16 RAL 026 and 16 RSG 013

Respondents Brian C. Broadnax and Brew City Security, 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 Department of Safety and Professional Services (Department). 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 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 Respondents, 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. Respondents are 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 Respondents in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.


Brian C. Broadnax, Respondent
1314 W. Burleigh St.
Milwaukee, WI 53206
Permit no. 25241-108

2/27/18
Date


Brew City Security, LLC, Respondent
By: Brian C. Broadnax
3902 N. Mayfair Rd.
Wauwatosa, WI 53222
License no. 16919-62

2/27/18
Date


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

2/28/2018
Date