

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KATHLEEN M. HANSEN AND
KATHLEEN HANSEN & ASSOCIATES LLC,
RESPONDENTS.

:
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: FINAL DECISION AND ORDER
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:
:

0005776

Division of Legal Services and Compliance Case No. 17 REB 028

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

Kathleen M. Hansen
18285 Le Chateau Drive
Brookfield, WI 53045

Kathleen Hansen & Associates LLC
18285 Le Chateau Drive
Brookfield, WI 53045

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 Kathleen M. Hansen (DOB 11/08/1939) is licensed by the State of Wisconsin as a real estate broker, having license number 22362-90, first issued on July 2, 1979 and current through December 14, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 18285 Le Chateau Drive, Brookfield, Wisconsin 53045.

2. Respondent Kathleen Hansen & Associates LLC (hereinafter Firm) is licensed by the State of Wisconsin as a real estate business entity, having license number 700630-91, first issued on January 2, 2003 and current through December 14, 2018. The Firm's address on file with the Department is the same as Respondent Hansen.

3. On March 23, 2017, the Department received a complaint against Respondents regarding Respondent Hansen's brokerage services. Respondent did not respond to the Department's initial request, dated March 23, 2017, for a response to the complaint and copies of all transaction documents. The Division of Legal Services and Compliance subsequently opened Case No. 17 REB 028 for investigation.

4. On November 7, 2017, the Department sent Respondents an additional request for a response to the complaint and all transaction documents via mail and email. On December 13, 2017, Respondents submitted a two-page listing history and a two page response.

5. On January 4, 2018, Respondents submitted more documents from the transaction and another response to the complaint.

6. On January 16, 2018, Respondents provided the remaining documents in the transaction.

7. A review of the transaction documents provided showed:

- a. The WB-42 Amendment to Listing Contract from April 19, 2016, was signed by Respondent Hansen but not dated.
- b. The WB-1 Residential Listing Contract from October 10, 2016 was incomplete, as lines 129-131 regarding multiple representation relationships and designated agency, were not filled out.
- c. The required addenda for the WB-1 Residential Listing Contract was not provided to the Department.

8. 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, Respondent Kathleen Hansen & Associates LLC violated Wis. Admin. Code § REEB 15.04(1) by failing to retain for at least two years exact and complete copies of all listing contracts, agency agreements, offers to purchase, leases, closing statements [...] other documents or correspondence utilized, received or prepared in connection with any transaction.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § REEB 16.06(8) by failing to use approved forms in such a manner as to adequately accomplish the contractual instruction of the person for whom the licensee uses the forms and prepares the addenda.

4. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § REEB 24.17(5) by failing to respond to the department and the board regarding any request for information within 30 days of the date of the request.

5. As a result of the above violations, Respondents are subject to discipline pursuant to Wis. Stat. §§ 452.14(3)(L) and (4m).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Kathleen M. Hansen is REPRIMANDED.

3. Respondent Kathleen Hansen & Associates LLC is REPRIMANDED.

4. The real estate broker license issued to Kathleen M. Hansen (no. 22362-90) is LIMITED as follows:

a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete education course(s) on the topics of real estate contracts and business practices offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for the course(s).

b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

5. Within ninety (90) days from the date of this Order, Respondent Kathleen M. Hansen shall pay one-half the COSTS of this matter in the amount of \$383.00.

6. Within ninety (90) days from the date of this Order, Respondent Kathleen Hansen & Associates LLC shall pay one-half the COSTS of this matter in the amount of \$383.00.

7. Requests for pre-approval, course completion certificates and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent to the Department Monitor at the address below:

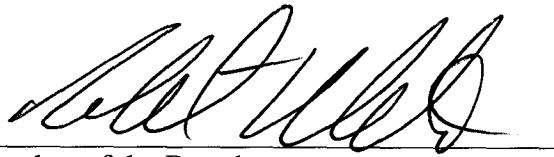
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

8. In the event Respondents violate any term of this Order, Respondents' licenses (nos. 22362-90 and 700630-91), or Respondents' rights 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 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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by:



A Member of the Board

Date

6/14/18

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KATHLEEN M. HANSEN AND
KATHLEEN HANSEN & ASSOCIATES LLC,
RESPONDENTS.

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:
:
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:
:

STIPULATION

0005776

Division of Legal Services and Compliance Case No. 17 REB 028

Respondents Kathleen M. Hansen and Kathleen Hansen & Associates 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.

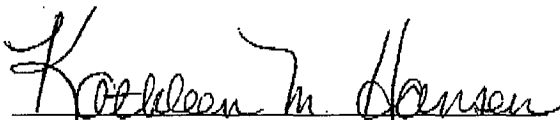
4. Respondents agree to the adoption of the attached Final Decision and Order by the Wisconsin Real Estate Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondents 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.

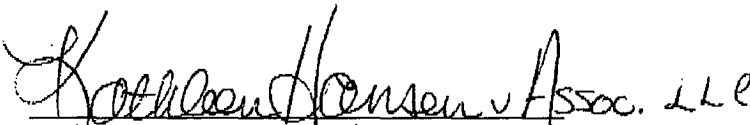
8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Kathleen M. Hansen, Respondent
18285 Le Chateau Drive
Brookfield, WI 53045
License no. 22362-90

4-16-18

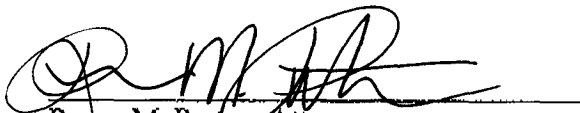
Date



Kathleen Hansen & Associates LLC, Respondent
By: Kathleen M. Hansen
18285 Le Chateau Drive
Brookfield, WI 53045
License no. 700630-91

4-16-18

Date



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

4/16/2018

Date