

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LETESHA D. FIELDS,
RESPONDENTS.

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FINAL DECISION AND ORDER

0005925

Division of Legal Services and Compliance Case No. 17 REB 065

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

Letesha D. Fields
1366 Belmont Ave. SW
Atlanta, GA 30310

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 Wisconsin 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 Letesha D. Fields (DOB 12/27/1985) is licensed by the State of Wisconsin as a real estate salesperson, having license number 84021-94, first issued on May 3, 2017 and current through December 14, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1366 Belmont Avenue SW, Atlanta, Georgia 30310.

2. On or about July 19, 2017, the Department received information regarding Respondent's theft of prescription medication from her workplace. The Division of Legal Services and Compliance subsequently opened Case No. 17 REB 065 for investigation.

3. According to Glendale Police Department Incident Report No. 17-004063, on April 10, 2017, Respondent was working as a pharmacy technician at a pharmacy and was recorded on surveillance video selecting two bottles (100 tablets in each) of Alprazolam (2mg) tablets, rotating her hand to try and attempt to hide the bottles, and then going out of sight of the cameras for a few moments. Respondent then entered an inventory adjustment for the pills.

4. On April 12, 2017, Respondent was arrested and issued a citation for Retail Theft-Intentionally Take (\leq \$2500) in violation of City of Glendale Ordinance 11-1-1(a)(39). In a voluntary statement written by Respondent that same day, Respondent stated that she had developed an addiction to Alprazolam which is why she stole the pills.

5. On April 26, 2017, Respondent submitted an application to the Department for a real estate salesperson license. On page two of the application, Respondent checked "No" next to question four, stating that she does not have a felony, misdemeanor, or other violation of federal, state, or local law pending against her.

6. At the time of Respondent's application for a real estate salesperson license, she had a pending charge against her as the citation had neither been paid nor the final judgment entered.

7. On May 3, 2017, Respondent was issued real estate salesperson license number 84021-94.

8. On May 4, 2017, Respondent was found guilty of violating Wis. Stat. § 943.50(1m)(b) Retail Theft, and was ordered to pay a forfeiture of \$1,006.

9. Respondent did not report her conviction to the Department.

10. In response to the Department's investigation, Respondent stated that she could not afford to pay the forfeiture, she had not completed any type of treatment for her addiction, and she was unaware that she was required to report her conviction.

11. In resolution of this matter, Respondent consents 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 which is substantially related to the practice of real estate, Respondent violated Wis. Admin. Code § REEB 24.17(1) by violating any law the circumstances of which substantially relate to the practices of a real estate licensee.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.17(1) by failing to report her 2017 conviction within 48 hours after the judgment of conviction was entered.

4. By the conduct described in the Findings of Fact, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(a) for making a material misstatement in the application for a license.

5. As a result of the above violations, Respondent is also subject to discipline pursuant to Wis. Stat. § 452.14(3)(L)(p).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Letesha D. Fields is REPRIMANDED.
3. Respondent Letesha D. Fields' real estate salesperson license (number 84021-94) is LIMITED as follows:

- a. Within 30 days from the date of this Order, Respondent shall obtain pre-approval from the Board or its designee, for an evaluator to conduct an Alcohol and Other Drug Abuse (AODA) assessment. The evaluator shall have experience in conducting these assessments.

- b. Within 90 days from the date of Board approval, Respondent shall, at her own expense, undergo an AODA assessment with the Board approved evaluator.

- i. Respondent shall provide and keep on file with the evaluator current releases complying with state and federal laws. The release shall allow the Board, its designee, and any employee of the Department to obtain a copy of the assessment. Copies of these releases shall immediately be filed with the Department Monitor.

- ii. The Board, or its designee, may impose additional limitations upon the Respondent's license based on the results of the assessment and/or the evaluator's recommendations.

- iii. Respondent shall comply with the evaluator's recommendations.

4. Respondent Letesha D. Fields' real estate salesperson license (number 84021-94) is further LIMITED as follows:

- a. Within 30 days from the date of this Order, Respondent shall arrange for a written report from her previous supervising broker to be provided to the Department Monitor. This report shall assess Respondent's work performance during her employment, and describe the circumstances of her employment, including the nature and extent of Respondent's sales activities and whether she has practiced in compliance with all laws governing the practice of real estate.

- b. The Board, or its designee, may impose additional limitations upon the Respondent's license based on the work report provided.

5. Respondent Letesha D. Fields' real estate salesperson license (number 84021-94) is further LIMITED as follows:

a. Respondent shall report to the Department Monitor any change of employment status, residence, address or telephone number within five days of the date of a change.

6. Respondent may petition the Board for modification or termination of the above limitations. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit. A denial of such a petition for modification or termination 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.

7. Respondent shall pay COSTS of this matter in the amount of \$731.00, pursuant to the following schedule:

<u>Payment Date</u>	<u>Amount</u>
November 1, 2018	\$125
December 1, 2018	\$125
January 1, 2019	\$125
February 1, 2019	\$125
March 1, 2019	\$125
April 1, 2019	\$106

8. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services), submission of reports, requests for pre-approval and any other submissions required by this Order 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

9. In the event Respondent violates any term of this Order, Respondent's license (number 84021-94), or Respondent's right to renew her license, may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has 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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by:



A Member of the Board

10/12/18
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

LETESHA D. FIELDS,
RESPONDENT.

:
:
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:
:

STIPULATION

0005925

Division of Legal Services and Compliance Case No. 17 REB 065

Respondent Letesha D. Fields and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

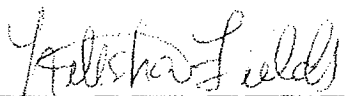
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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. Respondent agrees 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. Respondent waives 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 Respondent, 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. Respondent is 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 Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Letesha D. Fields, Respondent
1366 Belmont Avenue SW
Atlanta, GA 30310
License no. 84021-94

9/20/18
Date



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

9/21/2018
Date