

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR
A REAL ESTATE SALESPERSON
LICENSE

ALEKS SASIC,
APPLICANT.

ORDER GRANTING
LIMITED LICENSE

0006030

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

ALEKS SASIC
319 E WISCONSIN AVE
APT 4
PEWAUKEE WI 53072

REAL ESTATE EXAMINING BOARD
4822 MADISON YARDS WAY
P.O. BOX 7190
MADISON, WI 53707-7190

FINDINGS OF FACT

- I. ALEKS SASIC (Applicant) has filed an application (#619349) for a license to practice as a Real Estate Salesperson in Wisconsin.
- II. Information received in the application process reflects that the Applicant has the following violations and convictions on his record:
 - A. On or about June 12, 2001 – OWI 1st, an ordinance violation.
 1. Applicant explains he was 18 years old, working as a musician, and had drank at a bar where his band played. Applicant reports being pulled over on his way home for swerving and had a PBT of .12.
 - B. On or about December 14, 2001 – OWI 2nd, a misdemeanor conviction.
 1. Applicant was 19 years old, working as a musician, and had drank at a bar where his band played. Applicant was pulled over as he forgot to put his headlights on and swerved between lanes. Applicant had a PBT of .15.
 - C. On or about June 20, 2002 – Operating While Revoked 2nd, a misdemeanor conviction.
 1. Applicant states he made a series of bad choices, including continuing to drive after his license was revoked due to his OWI convictions, to get to work.

2. Applicant failed to disclose this conviction in his initial application materials.
 3. There is no indication Applicant attempted to obtain an occupational license.
- D. On or about May 22, 2003 – Operating While Revoked 3rd, a misdemeanor conviction.
1. Applicant states he was nearing the end of his license revocation, and though his license was revoked, he continued to drive for his occupation.
 2. Applicant failed to disclose this conviction in his initial application materials.
 3. There is no indication Applicant attempted to obtain an occupational license.
- E. On or about January 9, 2009 – Operating While Intoxicated 3rd, a misdemeanor conviction.
1. Applicant states he was driving home after drinking at a friend's house. Applicant was pulled over for speeding, driving recklessly, endangering the safety of the public. The police report notes the Applicant admitted he drank from 10:00 am to 3:00 pm, and that he was driving to pick up more beer. Applicant failed the Standard Field Sobriety Test and blew a PBT of .25.
- F. On or about October 1, 2010 – Operating While Revoked (Revocation due to alc/contr subst/refusal), a misdemeanor conviction.
1. Applicant drove out of state for an employment opportunity and then drove back to Wisconsin for a family matter. After conducting a routine registration check of vehicles, an officer pulled Applicant's vehicle over near his home. Applicant did not have a valid license at the time due to his OWI 3rd conviction.
 2. Applicant failed to disclose this conviction in his initial application materials.
 3. There is no indication Applicant attempted to obtain an occupational license.
- G. On or about January 21, 2015 – Operating While Intoxicated 4th within five (5) years, a felony conviction.
1. Applicant states that he was pulled over because his vehicle registration had expired. Applicant admitted to consuming two (2) beers in two (2) hours. Due to Applicant's prior OWI convictions, his prohibited alcohol concentration was required to be no greater than .02. Applicant blew a PBT of .04.
- H. On or about November 21, 2015 – Disorderly Conduct, an ordinance violation.
1. After imbibing at a party, Applicant was involved in a loud public disturbance and confrontation with strangers at a restaurant. The police report notes Applicant and his friend incited the incident by using racial slurs and expletives regarding another customer. Applicant and his friend caused the disturbance that disrupted the restaurant.

- I. On or about January 23, 2018 – Criminal Damage to Property, a misdemeanor conviction.
 1. Applicant states that he had a history of difficult interactions with one of his neighbors. At a social gathering, Applicant became frustrated with the neighbor and slashed his neighbor's tire.
 2. In the police report, witness statements said Applicant threw a beer bottle at his neighbor's window and slashed the neighbor's back tire numerous times with a knife. Applicant denied throwing a bottle or slashing the tire. However, Applicant admitted to consuming several alcoholic beverages and said that he "blacked out."

III. Applicant has submitted numerous AODA assessments.

- A. Beginning on or about October 29, 2015, Applicant received a diagnosis of moderate-severe alcohol dependence with continuous drinking behavior. Applicant was required to attend group therapy sessions. He was encouraged to reduce his consumption of alcohol, learn the disease model, and identify activities that support sobriety.
- B. Applicant attended and participated in AODA Group Therapy through April 20, 2016.
- C. On or about April 10, 2017, Applicant was referred for a new AODA intake assessment due to his arrest for OWI 4th. Applicant reported he continues to drink daily.
- D. As of August 17, 2017, Applicant's diagnosis remains moderate-severe alcohol dependence with continuous drinking behavior.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 452.05(1)(a) and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).
2. The facts and circumstances of above-referenced conviction record relates to the practice of a Real Estate Salesperson, and demonstrates the Applicant is not competent to transact the business or occupation in a manner that safeguards the interest of the public.
3. Applicant's history of alcohol use and his diagnosis of moderate-severe alcohol dependence with continuous drinking behavior raises concerns regarding Applicant's ability to competently perform duties due to impairment by alcohol.
4. Limitations upon Applicant's license 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 ALEKS SASIC is GRANTED A REAL ESTATE SALESPERSON LICENSE subject to the following LIMITATIONS, TERMS, AND CONDITIONS:

Practice Limitations

- A.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 of Safety and Professional Services Monitor (Department Monitor).
- A.2. Applicant shall show a copy of this Order to his current and any future employer. Applicant shall provide the 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 Monitoring 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.
- A.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 and municipal/ordinance violations, to the Department Monitor within 48 hours of any such event, including any convictions resulting from pending charges.
 - a. In the event Applicant is convicted of a subsequent motor vehicle offense involving the use of intoxicants, within five (5) years from the date of this Order, Applicant's license may be immediately REVOKED without further notice or hearing.
 - b. Applicant may petition the Board to remove this limitation after demonstration of five (5) consecutive years of compliance with this requirement.
- A.4. Applicant shall not be permitted to drive current or prospective clients, or any individual in connection with Applicant's employment as a Salesperson, in any motor vehicle for a period of two (2) years.
 - a. In the event Applicant is found to have violated this provision during the pendency of this provision, Applicant's license may be immediately REVOKED without further notice or hearing.
 - b. Applicant may petition the Board to remove this limitation after demonstration of two (2) years in compliance with this requirement.

Reporting Requirements

- A.5. Applicant shall file quarterly reports with the Board at the direction of the Department Monitor commencing ninety (90) days after Applicant commences employment. Each report shall include the following:
 - i. The name, address and telephone number of Applicant, and name, address and telephone number of his employer;

- ii. A statement from the Applicant as to whether he has had any law enforcement contacts leading to arrest, charge or conviction (including DWI/OWI and municipal/ordinance violations) during the term of the Order.
- A.6. 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 a change.
- A.7. Applicant shall arrange for written reports from his broker-supervisor(s)/employer(s) to be provided to Department Monitor on a quarterly basis. The first employer report is due ninety (90) days after Applicant commences employment, or 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 as a salesperson.

Alcohol and Other Drug Abuse (AODA) Treatment and Counseling Required

- A.8. Within thirty (30) days of the date of this Order, Applicant shall complete a Level 1 Wisconsin Drug and Alcohol Awareness class through a provider pre-approved by the Board.
 - a. Applicant shall provide the Board with an affidavit demonstrating successful compliance of the AODA course.
- A.9. Applicant shall enter into, and shall continue, drug and alcohol treatment with a treater acceptable to the Board or its designee (Treater). Respondent shall participate in, cooperate with, and follow all treatment recommended by Treater.
 - a. Applicant shall provide and keep on file with Treater, all treatment facilities and personnel, laboratories and collections sites current releases complying with state and federal laws. The releases shall allow the Board, its designee, and any employee of the Division to: (a) obtain all urine, blood and hair specimen screen results and patient health care and treatment records and reports, and (b) discuss the progress of Applicant's treatment and rehabilitation. Copies of these releases shall immediately be filed with the Department Monitor.
- A.10. Applicant shall immediately provide Treater with a copy of this Final Decision and Order and all other subsequent orders.
- A.11. Treater shall be responsible for coordinating Applicant's rehabilitation, any alcohol/drug monitoring, and treatment program as required under the terms of this Order, and shall immediately report any relapse, violation of any of the terms and conditions of this Order, and any suspected unprofessional conduct, to the Department Monitor. If Treater is unable or unwilling to serve as Treater, Applicant shall immediately seek approval of a successor Treater by the Board or its designee.
- A.12. The rehabilitation program shall include individual and/or group therapy sessions at a frequency to be determined by Treater. Therapy may end only upon a determination by the Board or its designee after receiving a petition for modification as required by A.17., below.

- A.13. Treater shall submit formal written reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Applicant's progress in the drug and alcohol treatment program. Treater shall report immediately to the Department Monitor any violation or suspected violation of this Order.

AA/NA Meetings

- A.14. Applicant shall attend Narcotics Anonymous and/or Alcoholics Anonymous meetings or an equivalent program for recovering professional, at the frequency recommended by Treater, but no less than twice per week. Attendance of Respondent at such meetings shall be verified and reported quarterly to Treater and the Department Monitor.

Miscellaneous

- A.15. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify Department Monitor of any suspected violations of any of the terms and conditions of this Order.
- A.16. The Department Monitor is the individual designated by the Board 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
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

You may also submit this information online via DSPS' Monitoring Case Management System, here: <https://app.wi.gov/DSPSMonitoring>

Petitions for Modification or Termination

- A.17. Applicant may petition the Board on an annual basis for modification of the terms of this Order, however no such petition for modification shall occur earlier than one (1) year from the date of the Order. Any petition for modification shall be accompanied by a written recommendation from Respondent's Treater expressly supporting the specific modifications sought. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Respondent shall not have a right to any further hearings or proceedings on the denial.
- A.18. Applicant may petition the Board or its designee for return to full, unrestricted licensure upon demonstration of continuous successful compliance with all of the terms of this Order, including no new violations or convictions for operating a motor vehicle while intoxicated for a period of five (5) years from the date of this Order. "Practice in compliance" includes the submission of work reports and/or Treater(s) reports, the content of which are satisfactory to the Board, Department Monitor, or their designee(s). 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 at least two (2) years of Real Estate Sales 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

- A.19. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Suspension

- A.20. In the event that the Applicant violates any term of this Order, Applicant's license may, in 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 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.

Dated at Madison, Wisconsin this 1st day of February, 2019.

By: 
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

ALEKS SASIC,
APPLICANT

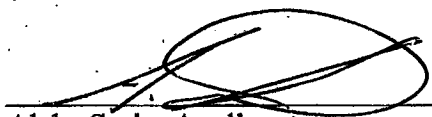
STIPULATION

0806030

It is hereby stipulated between the above-referenced Applicant and the Real Estate Examining Board (Board) as follows:

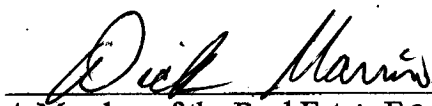
- I. Applicant has filed an application for a license as a Real Estate Salesperson.
- II. Information received by the Board reflects a basis for denial of the license application.
- III. Based upon the information of record herein, the Board agrees to issue and the Applicant agrees to accept an Order Granting a Limited License as a Real Estate Salesperson, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
- IV. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
 - a) the right to request a hearing related to the denial of the application;
 - b) assuming a hearing takes place wherein the Applicant has the burden of proof by a preponderance of the evidence:
 - i. the right to confront and cross-examine the witnesses against Applicant;
 - ii. the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
 - iii. the right to testify on Applicant's own behalf;
 - iv. 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;
 - v. the right to petition for rehearing; and
 - c) all other applicable rights afforded to the Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

- V. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
- VI. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.
- VII. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.
- VIII. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.


Aleks Sasic, Applicant
319 E Wisconsin Ave., Apt. 4
Pewaukee WI 53072
Application no. 619349

Date

1/14/2019


A Member of the Real Estate Examining Board
Department of Safety and Professional Services
4822 Madison Yards Way
P.O. BOX 7190
Madison, WI 53707-7190

Date

2/1/19