WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at: http://ccap.courts.state.wi.us/InternetCourtAccess and http://www.courts.state.wi.us/wscca

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STATE OF WISCONSIN BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST

NOTICE OF SUSPENSION AND NOTICE OF RIGHT

TO REQUEST HEARING

JOSEPH MESLER AND,

PROFESSIONAL BUILDING INSPECTIONS

RESPONDENTS.

00061 95

Case # 17 COM 122

TO: Joseph Mesler

Professional Building Inspections 508 Chamberlain Street Edgerton, WI 53534

Attorney Ed Thompson Clair Law Offices, S.C. PO Box 445 Delevan, WI 53115

You are hereby notified that your UDC Inspector Certifications (Construction: 069602121, Electrical: 069602122, HVAC: 069602123, and Plumbing: 069602124) and your UDC Inspection Agency Registration (100500031) are suspended for twenty-one days starting May 6, 2019 and expiring May 27, 2019 as allowed by Wis. Admin. Code § SPS 305.10(1).

The basis for this suspension is you were negligent in your responsibilities as a UDC Inspector and a UDC Inspection Agency when you failed to maintain a record of inspections made in violation of Wis. Admin. Code §§ SPS 305.63(5)(a)1 and SPS 305.635(4)(b). A complaint was filed with the Department that you did not possess the inspection reports for construction work done at W3608 Glenmore Avenue, Lake Geneva, Wisconsin. You confirmed that you were not in possession of the inspection report. You told the Department that the Town of Linn was responsible for maintaining the inspection records, however the requirements of your license places the responsibility on you.

The Department spoke with the Town of Linn Clerk and she confirmed that the Town cannot locate <u>any</u> of the inspections reports you completed. The Town Clerk further stated that the town always maintained building permits but never inspection reports.

Failure to maintain records constitutes a violation of a state law under Wis. Admin. Code §§ SPS 305.63(5)(a)1 and SPS 305.635(4)(b). Your actions were negligent and are a basis for discipline pursuant to Wis. Admin. Code § SPS 305.10(1)(a)(3). A twenty-one day suspension is appropriate based on the evidence that the Town does not have any of your inspection reports

and you confirmed that you did not maintain the records for the Town. This means there are numerous inspection reports missing or lost which is a significant detriment to the public and homeowners. Further, there is no real proof of your work.

After the suspension, you may request, in writing, to have your credentials reinstated. The reinstatement process is set forth in Wis. Admin. Code § SPS 305.10(1)(f). You can contact credentialing at dspscredtrades@wisconsin.gov.

You have the right to request a hearing on the suspension by sending a request for hearing to the Department of Safety and Professional Services, Chief Legal Counsel, P.O. Box 7190, Madison, Wisconsin 53707-7190, which must be received by the Department no later than 30 days from the date of mailing of this Notice. Any hearing on the suspension will be held in accordance with the requirements set forth in Wis. Stat. ch. 227.

Dated at Madison, Wisconsin on March 15, 2019.

Al Rohmeyer

Chief Legal Counsel

Department of Safety and Professional Services