

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	:	
RENEWAL OF REAL ESTATE SALESPERSON	:	
LICENSE	:	
	:	ORDER GRANTING
KRISTIN LAPREE,	:	LIMITED LICENSE
APPLICANT.	:	0006112

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

KRISTIN LAPREE
2905 MOUNTAIN COURT
WAUSAU WI 54401

REAL ESTATE EXAMINING BOARD
4822 MADISON YARDS WAY
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. Kristin Lapree (Applicant) filed an application for renewal of her Wisconsin Real Estate Salesperson license (no. 83963-94). Such license, first issued to Applicant on April 21, 2017, was scheduled for renewal by December 14, 2018. Applicant's request to renew was timely.

2. Applicant's most recent address on file with the Wisconsin Department of Safety and Professional Services is 2905 Mountain Court, Wausau, Wisconsin 54401.

3. Information received in the renewal application process reflects that the following Charges were filed against Applicant on October 24, 2018, in Portage County:

- Count 1 - Theft-Business Setting >\$100,000 (Felony F)
- Count 2 - Forgery (Felony H)
- Count 3 - Fraudulent Writings/By Corp. Officer (Felony H)
- Count 4 - Misappropriate ID Info - Obtain Money (Felony H)

4. Information received in the renewal application process reflects the following additional facts:

- a. Applicant worked as a Business Manager for the Rettler Corporation between February 22, 2012 and August 6, 2018. In that role she was responsible for paying business-related expenses, recording receipts, and preparing and making business banking deposits.
- b. While working for Rettler Corporation between December 20, 2012, and August 6, 2018, Applicant is alleged to have written numerous checks from the Corporation to herself or her personal accounts and forged the signature of her boss to endorse the checks. Applicant used a stamp containing her boss' signature to endorse the checks, without his knowledge or permission.
- c. In early August 2018, when questioned by her boss about some duplicate payments made by the Corporation, Applicant told her boss she made a mistake and presented her boss with two credit card statements for the Corporation. Those statements were falsified by Applicant so that the information contained therein was not accurate.
- d. During the investigation by law enforcement, Applicant admitted to fraudulently writing and endorsing checks from the Corporation to herself and admitted that she knew it was a crime to do so.
- e. Investigation by law enforcement revealed that Applicant embezzled a total of almost \$500,000 from the Corporation between 2012 – 2018.
- f. Investigation by law enforcement revealed that several large cash advances were taken by Applicant from the account(s) into which the embezzled funds were deposited. The investigation also revealed that Applicant made the following purchases using the account into which the embezzled funds were deposited: furniture, computer equipment, TVs and other electronics, high-end perfume, purses, clothes, restaurants, gyms, beauty salons, hotels and airfare, and furniture.

5. In a statement provided by Applicant to the Department when disclosing the pending charges, Applicant admitted wrongdoing and fully admitted to her actions leading up to the charges.

6. Applicant's pending charges and the underlying facts are relevant to her ability to practice real estate sales in a competent manner that safeguards the interest of the public because the business of real estate sales involves negotiating and facilitating transactions between clients and others that affect financial and other rights of those persons and entities. For this reason, it is necessary that a Real Estate salesperson be honest and trustworthy in order to competently conduct such business. Applicant's pending charges stem from many years of fraudulent and deceptive conduct by Applicant for her own financial gain. Applicant abused her position through her employment with the Corporation to perpetrate her crimes. Applicant engaged in repeated

fraudulent and deceptive behavior and the forging of other persons' signatures on documents that affected financial and other rights of other persons and entities.

7. For all of the above reasons, Applicant is not competent to transact the business of real estate sales in a manner that safeguards the interest of the public. Granting Applicant an unlimited Real Estate Salesperson license would create the opportunity for Applicant to engage in similar conduct at the risk of harm to real estate consumers and licensees.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 452.05(1)(a).

2. The facts as set forth above demonstrate that Applicant has demonstrated incompetency to act as a salesperson in a manner which safeguards the interest of the public, pursuant to Wis. Stat. § 452.14(3), and that denial of full licensure is necessary to protect the public health, safety and welfare, pursuant to Wis. Stat. § 440.08(4).

3. Limitations upon Applicant's license are necessary to ensure that she is competent to act in a manner which safeguards the interests of the public, pursuant to Wis. Stat. § 452.14(3), and to protect the public health, safety and welfare, pursuant to Wis. Stat. § 440.08(4).

ORDER

1. The attached Stipulation is accepted.
2. Applicant's renewal of her Real Estate Salesperson license is granted 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 direct 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). Such direct supervision shall include the following terms:

- a. Applicant shall not show homes on her own and must be accompanied by another Wisconsin licensed Real Estate Broker or Salesperson whenever Applicant is in the process of showing homes to prospective purchasers, clients or any other persons or entities.
- b. During the course of her work as a Real Estate Salesperson, Applicant shall not have access to any Trust Accounts or other financial accounts belonging to her employer, supervising Broker, or any other entity or person.

- A.2. Applicant shall notify her broker-supervisor(s)/employer(s) of her history of arrests and convictions prior to employment. Applicant shall show a copy of this Order to her 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.

Reporting Requirements

- A.4. 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 her employer;
 - ii. A statement from the Applicant as to whether she 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.
 - iii. 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.5. Applicant shall arrange for written reports from her broker-supervisor(s)/employer(s) to be provided to Department Monitor on a quarterly basis, as directed by Department Monitor. These reports shall assess Applicant's work performance and describe the circumstances of her employment, including the nature and extent of the Applicant's sales activities and whether she has practiced in compliance with all laws governing the practice of real estate as a salesperson.
- A.6. 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.7. 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
Department of Safety and Professional Services
Division of Legal Services & Compliance
4822 Madison Yards Way

P.O. Box 7190
Madison, WI 53707-7190
Fax: (608) 266-2264
Telephone: (608) 267-3817
dspsmonitoring@wi.gov

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

Petitions for Modification

- A.8. Applicant may petition the Department Monitor for modification of the terms of this Order after completion of two (2) year of practice in compliance with all terms and conditions of this Order. "Practice in compliance" includes the submission of work reports, the content of which are satisfactory to the Board. Applicant's petition must include her history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling two (2) year of 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.
- A.9. Applicant may petition for full, unrestricted licensure upon demonstration of continuous, successful practice in compliance with the terms of the Order for at least two (2) years. "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).

Costs

- A.10. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Suspension

- A.11. 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.

3. If Applicant is convicted of one or more pending criminal charges, the Board may at that time revoke, suspend or otherwise limit Applicant's Real Estate Salesperson license based

on applicable law including but not limited to Wis. Stat. §§ 111.335(3)(a)1., 111.335(4)(c), 440.08(4), 452.03, 452.14(3) and 452.25(1)(c)3.

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

Dated at Madison, Wisconsin this 25th day of March, 2019.

By: Robert Webster
A Member of the Real Estate Examining Board

JUL 5 2019

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR
RENEWAL OF A REAL ESTATE
SALESPERSON LICENSE

KRISTIN LAPREE,
APPLICANT.

STIPULATION

0006112

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

1. The Applicant has filed an application to renew a Real Estate Salesperson license.
2. Information received by the Board reflects a basis for denial of the renewal of the licensure.
3. Based upon the information of record herein, the Board agrees to issue, and the Applicant agrees to accept, an Order granting a renewal of license as a Real Estate Salesperson, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
 - the right to request a hearing related to the denial of the application;
 - the right to confront and cross-examine the witnesses against Applicant;
 - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
 - the right to testify on Applicant'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 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.
5. 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.
6. 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.

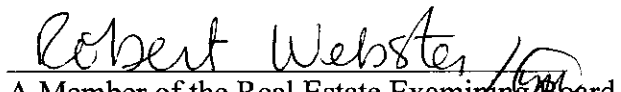
7. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.



Kristin Lapree, Applicant
2905 Mountain Court
Wausau WI 54401
License no. 83963-94

3-5-19
Date



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

3/25/19
Date