

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

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>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

STEVEN PETERSON,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
:

Division of Legal Services and Compliance Case No. 18 UNL 167

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

Steven Peterson
N8931 HWY DK
Luxemburg, WI 54217

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The Department has reviewed this Order and considers it acceptable.

Accordingly, the Department makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent, Steven Peterson, possesses no plumbing or electrical license in the State of Wisconsin.
2. Brian Noe, State of Wisconsin Commercial Building Inspector conducted an inspection of an underground tunnel built by Respondent underneath four condominiums owned by Respondent. The inspection found plumbing and electrical work performed without proper building plan submittal.
3. During the inspection, Respondent stated to Noe that he had performed the electrical and plumbing work in the tunnel.

4. A DSPS record search found that Respondent does not have any plumbing or electrical licenses in the State of Wisconsin.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 145.02, and is authorized to enter this Order pursuant to Wis. Stat. § 101.02.

2. Wis. Stat § 145.01(10) defines plumbing as “all piping, fixtures, appliances, equipment, devices, and appurtenances in connection with water supply systems, water distribution systems, wastewater drainage systems, reclaimed water systems, and stormwater use systems, including hot water storage tanks, water treatment devices, and water heaters connected with these systems and also includes the installation thereof.”

3. Wis. Stat. § 145.06 states that “no person may engage in or work at plumbing in the state unless licensed to do so by the department. A master plumber may work as a journeyman. No person may act as a plumbing apprentice or pipe layer unless registered with the department.”

4. By the conduct described in the Findings of Fact, Respondent Steve Peterson violated Wis. Stat. § 145.06 by engaging in plumbing without a license.

5. Wis. Admin. Code § SPS 305.125(1)(a) states that pursuant to s. 145.12 (5), Stats., the department may assess a forfeiture in the amount listed in pars. (b) to (i) to a violator of the licensing requirements under s. 145.06, Stats.

6. Wis. Admin. Code § SPS 305.125(1)(b)1 states that the amount of forfeiture assessed against an individual who does not hold the appropriate type of plumbing license under subch. IX and who installs plumbing when a master plumber is not in charge of the plumbing installation shall be: First violation offense — \$1,000.00.

7. Respondent’s admission and Noe’s inspection are sufficient evidence for the Department to find that there is a reasonable basis that he violated Wisconsin statutes and code a \$1,000 forfeiture is appropriate.

8. Wis. Stat. § 101.862(1) states that no person may engage in the business of installing, repairing, or maintaining electrical wiring unless the person is licensed as an electrical contractor by the department.

9. Wis. Admin. Code § SPS 305.40(1) states that except as provided under s. 101.862 (4), Stats., no person as of April 1, 2013 may install, repair, or maintain electrical wiring unless the person holds a license or registration issued by the department or is enrolled by the department.

10. By the conduct described in the Findings of Fact, Respondent Steve Peterson violated Wis. Stat. § 101.862 and Wis. Admin. Code § SPS 305.40 by engaging in electrical work without a license.

4. A DSPS record search found that Respondent does not have any plumbing or electrical licenses in the State of Wisconsin.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 145.02, and is authorized to enter this Order pursuant to Wis. Stat. § 101.02.

2. Wis. Stat § 145.01(10) defines plumbing as “all piping, fixtures, appliances, equipment, devices, and appurtenances in connection with water supply systems, water distribution systems, wastewater drainage systems, reclaimed water systems, and stormwater use systems, including hot water storage tanks, water treatment devices, and water heaters connected with these systems and also includes the installation thereof.”

3. Wis. Stat. § 145.06 states that “no person may engage in or work at plumbing in the state unless licensed to do so by the department. A master plumber may work as a journeyman. No person may act as a plumbing apprentice or pipe layer unless registered with the department.”

4. By the conduct described in the Findings of Fact, Respondent Steve Peterson violated Wis. Stat. § 145.06 by engaging in plumbing without a license.

5. Wis. Admin. Code § SPS 305.125(1)(a) states that pursuant to s. 145.12 (5), Stats., the department may assess a forfeiture in the amount listed in pars. (b) to (i) to a violator of the licensing requirements under s. 145.06, Stats.

6. Wis. Admin. Code § SPS 305.125(1)(b)1 states that the amount of forfeiture assessed against an individual who does not hold the appropriate type of plumbing license under subch. IX and who installs plumbing when a master plumber is not in charge of the plumbing installation shall be: First violation offense — \$1,000.00.

7. Respondent’s admission and Noe’s inspection are sufficient evidence for the Department to find that there is a reasonable basis that he violated Wisconsin statutes and code a \$1,000 forfeiture is appropriate.

8. Wis. Stat. § 101.862(1) states that no person may engage in the business of installing, repairing, or maintaining electrical wiring unless the person is licensed as an electrical contractor by the department.

9. Wis. Admin. Code § SPS 305.40(1) states that except as provided under s. 101.862 (4), Stats., no person as of April 1, 2013 may install, repair, or maintain electrical wiring unless the person holds a license or registration issued by the department or is enrolled by the department.

10. By the conduct described in the Findings of Fact, Respondent Steve Peterson violated Wis. Stat. § 101.862 and Wis. Admin. Code § SPS 305.40 by engaging in electrical work without a license.

11. Wis. Stat. § 101.88 states that any person who violates this subchapter or any rule promulgated under this subchapter shall forfeit to the state not less than \$25 nor more than \$500 for each violation. Each day of violation constitutes a separate offense.

12. Respondent's admission and Noe's inspection are sufficient evidence for the Department to find that there is a reasonable basis that he violated Wisconsin statutes and code a \$250.00 forfeiture is appropriate.

13. As a result of the violations noted in the Conclusions of Law, Respondent is subject to forfeitures pursuant to Wis. Stat. § 145.12 and Wis. Stat. § 101.88.

ORDER

1. Respondent Steven Peterson is assessed an administrative forfeiture in the amount of **\$1,250.00** in accordance with Wis. Admin. Code § SPS 305.125(1)(b)1 and Wis. Stat. § 101.88.

2. Within 30 days from the date of this Order, Steven Peterson shall pay the forfeiture of **\$1,250.00**.

3. Payment of forfeiture shall be made payable to the Wisconsin Department of Safety and Professional Services and 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

4. Respondent has the right to request a review of the assessment of forfeiture by sending a request to the Division Administrator, Division of Industry Services, P.O. Box 7302, Madison, Wisconsin 53707-7302, which must be received by the Division no later than 30 days from the date of mailing of this Notice. Any review of the assessment of forfeiture will be held in accordance with the requirements set forth in Wis. Admin. Code § SPS 305.125(6-8). The request must include a statement of the specific reasons why the administrative forfeiture and the grounds for the assessment should be overturned. Wis. Admin. Code § SPS 305.125(6)(a)(3). Any issues not addressed in the statement shall be deemed waived for consideration by the Department at the hearing, and the Department shall only consider the reasons specified in the statement. Wis. Stat. § 101.02(6)(f).

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Aloysius Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
On Behalf of the Department

6-8-2019
Date

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Aloysius Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
On Behalf of the Department

6-8-2019
Date