

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

GIZO UJARMELI,  
RESPONDENT.

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FINAL DECISION AND ORDER

11/16/24

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Division of Legal Services and Compliance Case No. 16 REB 106

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

Gizo Ujarmeli  
920 Hamilton Street  
Wausau, WI 54403

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 Gizo Ujarmeli (DOB 11/07/1969) is licensed by the State of Wisconsin as a real estate broker, having license number 54381-90, first issued on February 1, 2007 and current through December 14, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 920 Hamilton Street, Wausau, Wisconsin 54403.

2. On December 7, 2016, the Department received a complaint alleging that Respondent improperly advertised the sale of a motel after a fire damaged the property. The Division of Legal Services and Compliance subsequently opened Case No. 16 REB 106 for investigation.

3. On January 30, 2015, Respondent listed the motel property before the fire occurred, which is around the time when Respondent inspected the property and took pictures for the listing. The property was listed at \$399,998. Interior and exterior photos taken by Respondent were included in the listing.

4. On August 17, 2015, the motel sustained fire damage.

5. On February 2, 2016, the listing contract expired. No modification was made to the listing description, price or photos between August 17, 2015 and February 2, 2016.

6. On June 1, 2016, the seller engaged Respondent to relist the property at \$149,987.

7. When Respondent re-listed the property, the fire damage had not been repaired and the interior was inaccessible for photos. The new listing identified the fire, however, it included photos taken prior to the fire without identifying the photos as pre-dating the fire.

8. The property listing was reduced to \$129,987 in September 2016, and to \$59,900 in October 2016.

9. On December 1, 2016, Respondent had a showing on the property. At the time of the showing, the listing continued to display old photos, without identifying the photos as pre-dating the fire, and instead stated this:

Property Sold as is due to fire damage. Long established Wausau Motel Ponderosa business in ideal central location offers great INVESTMENT OPPORTUNITY. Motel (6,448 sq. ft. approx.) has 18 living units, including 2-BR apartment & an efficiency. Central A/C w/Ducts Zoned Business sits on large corner lot with high visibility & traffic count. Conveniently close to downtown & major highway. Property has 25+ assigned paved parking spots & handicap access. Sale includes business name, office and inventory.

This 0.41 acre corner lot could also be perfect site for a new business. This is an AUCTION listing. Agents can submit offers until November 15, 2016. Seller will respond to the best and highest offers. Property is being sold as-is, where-is.

10. On December 2, 2016, after the showing, Respondent updated the listing to include additional information, stating that, "there was a fire damage on property, City of Wausau has ordered property demolition, please contact inspection department of City of Wausau for more information," and added exterior photos to the listing to show the fire damage.

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, Respondent violated Wis. § 452.133(1)(b) by failing to provide brokerage services with reasonable skill and care.
3. As a result of the above violations, Gizo Ujarmeli is subject to discipline pursuant to Wis. Stat. § 452.14(3)(L) and (4m)(a),(b).

### ORDER

1. The attached Stipulation is accepted.
2. Respondent Gizo Ujarmeli is REPRIMANDED.
3. Respondent Gizo Ujarmeli's real estate broker license (no. 54381-90) is LIMITED as follows:
  - a. Within 90 days of the date of this Order, Respondent shall successfully complete a course on the topic of consumer protection offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam(s) offered for the course(s).
  - b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
4. Within 90 days from the date of this Order, Respondent shall pay a FORFEITURE in the amount of \$500.00 and one-half of the COSTS of this matter in the amount of \$1,118.00.
5. Payment of costs and forfeiture (made payable to the Wisconsin Department of Safety and Professional Services), requests for pre-approval and proof of successful course completion 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

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

6. In the event Respondent violates any term of this Order, Respondent's license (no. 54381-90), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied 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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by:   
A Member of the Board

6-13-19  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

GIZO UJARMELI,  
RESPONDENT.

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STIPULATION

1116224

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Division of Legal Services and Compliance Case No. 16 REB 106

Respondent Gizo Ujarmeli 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.

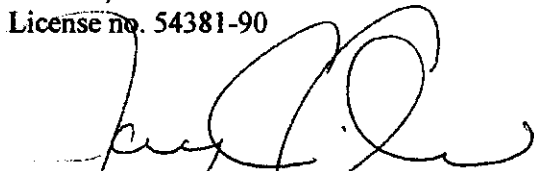
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Gizo Ujarmeli, Respondent  
920 Hamilton Street  
Wausau, WI 54403  
License no. 54381-90

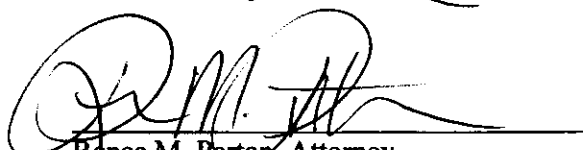
05/01/2019

Date

  
Jacques C. Condon, Attorney for Respondent  
Condon Law Firm, LLC  
118 N. Green Bay Rd., Ste. 3  
Thiensville, WI 53092

05/02/2019

Date

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

5/2/2019

Date