

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
TRACY JENNERJOHN AND	:	
JENNERJOHN REALTY	:	
AUCTIONEERING & APPRAISING LLC,	:	
RESPONDENTS.	:	6226

Division of Legal Services and Compliance Case No. 17 REB 103

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

Tracy Jennerjohn
P.O. Box 24
Greenville, WI 54942

Jennerjohn Realty Auctioneering & Appraising LLC
N2949 Main Road
Hortonville, WI 54944

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 Tracy Jennerjohn (DOB January 25, 1970) is licensed by the State of Wisconsin as a real estate broker, having license number 56286-90, first issued on January 26, 2011 and current through December 14, 2020. Respondent's most recent address on file with the

Wisconsin Department of Safety and Professional Services (Department) is P.O. Box 24, Greenville, WI 54942.

2. Respondent Jennerjohn Realty Auctioneering & Appraising LLC is licensed by the State of Wisconsin as a real estate business entity, having license number 937496-91, first issued on March 18, 2014 and currently expired as of December 15, 2018. Respondent's most recent address on file with the Department is N2949 Main Road, Hortonville, WI 54944.

3. Respondent Jennerjohn is identified in Department records as the owner of Respondent Jennerjohn Realty Auctioneering & Appraising LLC.

4. Respondent Jennerjohn Realty Auctioneering & Appraising LLC's real estate business entity license was expired from December 15, 2014 through February 16, 2015.

5. Between December 15, 2014 and February 16, 2015, Respondent Jennerjohn performed at least one real estate transaction on behalf of Jennerjohn Realty Auctioneering & Appraising LLC.

6. Respondent Jennerjohn Realty Auctioneering & Appraising LLC's real estate business entity license was also expired from December 15, 2016 through January 2, 2018.

7. Between December 15, 2016 and January 2, 2018, Respondent Jennerjohn listed at least 13 properties on behalf of Jennerjohn Realty Auctioneering & Appraising LLC.

8. In July 2016, Respondent Jennerjohn listed a property in which her husband had an interest (the Towering Pines West property).

9. In February 2017, Respondent Jennerjohn received an Offer to purchase the Towering Pines West property.

10. On or about April 7, 2017, the sale of the Towering Pines West property closed.

11. Respondent Jennerjohn did not obtain prior written consent of all the parties to the Towering Pines West transaction to act on behalf of an immediate family member.

12. 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 Jennerjohn violated Wis. Admin. Code § REEB 24.05(2) by acting on behalf of a family member in a real estate transaction without obtaining the prior written consent of all the parties to the transaction.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Stat. § 452.03(1) by engaging in the practice of real estate under Jennerjohn Realty Auctioneering & Appraising LLC while the business entity's license was expired.

4. As a result of the above violations, Respondents are subject to discipline pursuant to Wis. Stat. § 452.14(3)(L) and (4m)(a).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Tracy Jennerjohn is REPRIMANDED.

3. Respondent Jennerjohn Realty Auctioneering & Appraising LLC is REPRIMANDED.

4. Within one hundred and eighty (180) days from the date of this Order, Respondent Jennerjohn shall pay a FORFEITURE in the amount of \$500, and one-half of the COSTS of this matter in the amount of \$1,129.

5. Within one hundred and eighty (180) days from the date of this Order, Respondent Jennerjohn Realty Auctioneering & Appraising LLC shall pay one-half of the COSTS of this matter in the amount of \$1,129.

6. Payment of forfeiture and costs 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

This information may also be submitted online via DSPS' Monitoring Case Management System at: <https://app.wi.gov/DSPSMonitoring>.

7. In the event Respondents violate any term of this Order, Respondents' licenses (numbers 56286-90 and 937496-91), or Respondents' right to renew their licenses, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have 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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by:

Tom Ruthe

A Member of the Board

6-13-19

Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TRACY JENNERJOHN AND
JENNERJOHN REALTY
AUCTIONEERING & APPRAISING LLC,
RESPONDENTS.

:
:
:
:
:
:
:

STIPULATION

06226

Division of Legal Services and Compliance Case No. 17 REB 103

Respondents Tracy Jennerjohn and Jennerjohn Realty Auctioneering & Appraising LLC 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. Respondents consent to the resolution of this investigation by Stipulation.

2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:

- the right to a hearing on the allegations against Respondents, 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 Respondents;
- the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
- the right to testify on Respondents' 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 Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation.


4. Respondents agree 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. Respondents waive 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.

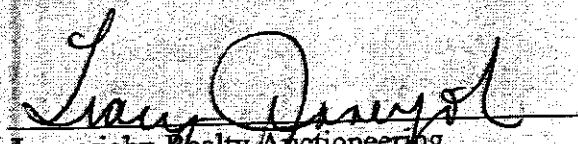
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondents, for purposes 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. Respondents are 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.

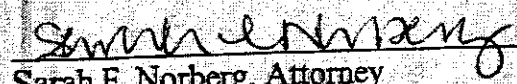
8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Tracy Jennerjohn, Respondent
P.O. Box 24
Greenville, WI 54942
Credential No. 56286-90

5-2-19
Date


Jennerjohn Realty Auctioneering
& Appraising LLC, Respondent
By: Tracy Jennerjohn
N2949 Main Road
Hortonville, WI 54944
License no. 937496-91

5-2-19
Date


Sarah E. Norberg, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

5-15-19
Date