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

RICARDO ROSALES, RESPONDENT.

ORDER 0006422

Case # 18 COM 113

TO: Ricardo Rosales

2021A W Forest Home Ave Milwaukee WI 53215

You are hereby notified that your HVAC Contractor Registrations (Nos. 1201706 & 1054584) are suspended for fourteen (14) days starting October 7, 2019, and expiring October 20, 2019.

The basis for this suspension is your misconduct, negligence, and incompetence in your responsibilities as an HVAC installer. This suspension stems from 15 COM 139 and work performed at 8851 W. North Avenue, Wauwatosa, Wisconsin. An investigation found that you failed to pull a permit for work. Further, you failed to properly protect the site from water intrusion and damage ultimately leading to additional costs for the general contractor.

At the time that 15 COM 139 was resolved, you were not licensed by the Department and the Department closed the case and flagged your credential stating that if you filed for renewal the case may be reopened and reconsidered. You currently have an active HVAC Contractor Registration. Therefore, the Department is taking action against your registration based on the results of 15 COM 139's investigation.

Wis. Admin. Code § SPS 305.10(1)(a) states that the department may suspend or revoke a license or registration for negligence or incompetence in the practice or work allowed by the license or registration. Failure to obtain a permit is a violation of Wis. Admin. Code § SPS 305.10(1)(a)8. Failure to properly protect the site from water intrusion and damage constitutes incompetence or negligence and is a violation of Wis. Admin. Code § SPS 305.10(1)(a)3.

After the suspension, you may request, in writing, to have your credential reinstated. The reinstatement process is set forth in Wis. Admin. Code § SPS 305.10(1)(f). You can request reinstatement by emailing 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 September 13, 2019.

Al Rohmeyer

Chief Legal Counsel

Department of Safety and Professional Services

P.O. Box 8368

Madison, WI 53708-8368