

## 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 REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF APPLICATION FOR  
A REAL ESTATE SALESPERSON  
LICENSE

CHRISTINE WARPINSKI  
APPLICANT

:  
:  
: **ORDER GRANTING**  
: **LIMITED LICENSE**  
:  
: **ORDER 00065 19**

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

CHRISTINE WARPINSKI  
2323 SOUTHWOOD DRIVE APT #8  
APPLETON, WI 54519

REAL ESTATE EXAMINING BOARD  
4822 MADISON YARDS WAY  
P.O. BOX 8366  
MADISON, WI 53707-7190

FINDINGS OF FACT

1. CHRISTINE WARPINSKI (Applicant) has filed an application (#613973) for a license to practice as a Real Estate Salesperson in Wisconsin.

2. Information received in the application process reflects that the Applicant has the following violation and convictions on her record:

- A. On or about January 2, 1991 - OWI (1st).
  - i. Applicant was pulled over by law enforcement for speeding and driving while intoxicated after leaving a tavern in Park Falls, Wisconsin.
  - ii. Applicant was fined \$283 and her license was suspended for thirty (30) days.
- B. On or around November 25, 1992 - OWI (2nd).
  - i. Applicant was pulled over by law enforcement for driving through a stop sign after leaving a tavern in Green Bay, Wisconsin.
  - ii. The police report notes that Applicant was pregnant, and initially claimed not to be drunk but to be in labor.
  - iii. At the Hospital it was determined Applicant was not in labor, and Applicant was noncooperative and combative with officers and hospital personnel and refused sobriety/blood tests and was arrested.
  - iv. Applicant was fined \$383, served seven (7) days in jail, and her license was suspended for forty five (45) days.

- C. On or around November 3, 1997 - OWI (3rd).
  - i. Applicant was pulled over by law enforcement for speeding after leaving a tavern.
  - ii. Applicant's BAC was noted to be 1.3 and she was arrested.
  - iii. Court documents state that Applicant was sentenced to thirty (30) days in jail, an AODA assessment, license revocation for twenty four (24) months, Ignition Interlocking Device (IDD) for twenty four (24) months, and payment of costs/fine in the amount of \$1162.
  - iv. Applicant successfully completed the court-ordered AODA assessment and related requirements (including individual and group therapy) on April 9, 2002.
- D. On or around November 30, 2003 - Disorderly Conduct (MisD).
  - i. This conviction stems from a domestic violence incident between Applicant and her boyfriend. Both parties were charged with Disorderly Conduct.
  - ii. Applicant paid a fine of \$283.
  - iii. Police reports reflect that law enforcement subsequently initiated an investigation against Applicant's boyfriend regarding his history of domestic violence.
- E. On or around September 8, 2012 - OWI (4th) w/ Passenger < 16 y.o. (Felony).
  - i. On April 28, 2012, Applicant was found by law enforcement with her daughter in a vehicle in the ditch. Applicant told police that she had been driving about fifteen (15) minutes prior, was out of gas and waiting for someone to bring more.
  - ii. Officers noted that applicant was intoxicated, at which time she was placed under arrest.
  - iii. The police reports notes that Applicant yelled and screamed vulgarities at the officers. Applicant's daughter was turned over to Child Protective Services.
  - iv. Applicant refused a blood draw at the Hospital and needed to be restrained.
  - v. As a result of this incident, Applicant was sentenced to five (5) months in jail, one (1) year of probation, license revocation and IID for thirty three (33) months, payment of fines/costs of approximately \$2300, and an AODA assessment.
- F. On or around October 29, 2012 - Bail Jumping (Felony).
  - i. On August 29, 2012, Applicant became involved in an altercation with a neighbor because she was talking to the neighbor's boyfriend and the neighbor became physical with her.
  - ii. Applicant was found to be intoxicated in violation of her prior court orders so was charged/convicted of bail jumping and sentenced to pay fine/costs and serve fifteen (15) days in jail.

G. Applicant served jail time for the OWI (4<sup>th</sup>) in Ozaukee County starting on September 8, 2012, and was released from there on January 10, 2013, to Sheboygan County and served jail time for the Bail Jumping (Felony) conviction there until January 18, 2013.

H. Pursuant to an AODA assessment dated November 7, 2012, Applicant was diagnosed with Alcohol Dependency, moderately advanced chronicity. She was ordered to attend outpatient treatment for one (1) to twelve (12) months. An updated AODA assessment/report dated May 7, 2014, assessed her with Alcohol Dependency in Remission, noted that she had completed treatment and that no further program was required.

I. Applicant successfully completed probation on September 8, 2013.

3. Applicant's convictions substantially relate to the practice of real estate because the business of real estate sales involves the ability to interact with the clients and the public in an appropriate and safe manner. It is also common practice for Real Estate Salespersons to drive with clients in their vehicle in the course of conducting their business. Applicant has been convicted of driving while intoxicated on four occasions (once with her minor child in the vehicle), has been diagnosed with Alcohol Dependency, and has a significant history of relapse and alcohol-related offenses including violent and extremely irresponsible behavior when drinking. Despite completing AODA treatment successfully in 2002, Applicant then relapsed and was diagnosed with Alcohol Dependency ten (10) years later.

4. At this time, Applicant has failed to show competent evidence of sufficient rehabilitation and fitness to perform the business of real estate sales without limitations, particularly in light of the pattern of behavior and convictions as described above.

5. For all of the above reasons, Applicant has not established that she is 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 the public in general.

#### 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 and circumstances of the above-referenced conviction record substantially relates to the practice of a Real Estate Salesperson, pursuant to Wis. Stat. §§ 111.335(3)(a)1. and 452.14(3).

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. § 452.03.

4. Applicant, by her conduct, is subject to limitations against her license, pursuant to Wis. Stat. §§ 111.335(3)(a)1., 111.335(4)(c), 452.03, and 452.14(3).

### **ORDER**

NOW, THEREFORE, IT IS ORDERED that CHRISTINE WARPINSKI is GRANTED A REAL ESTATE SALESPERSON LICENSE 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 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).
- 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.
- A.4. Applicant shall not be permitted to drive current or prospective clients in a motor vehicle.

#### Reporting Requirements

- A.5. 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.6. 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.7. 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.8. 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.9. Applicant may petition the Department Monitor for modification of the terms of this Order after completion of two (2) years 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.10. 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

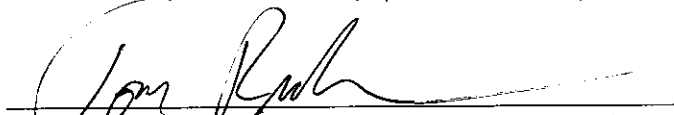
A.11. Applicant shall be responsible for all costs and expenses associated with compliance with the terms of this Order.

Suspension

A.12. 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.

Dated at Madison, Wisconsin this 24 day of October, 2019.

By:

  
A Member of the Real Estate Examining Board

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR  
A REAL ESTATE SALESPERSON  
LICENSE

CHRISTINE WARPINSKI  
APPLICANT

STIPULATION

ORDER 0006519

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

- I. The Applicant has filed an application for a license as a Real Estate Salesperson.
- II. Information received by the Board reflects a basis for denial of the license application.
- III. Based upon the information of record herein, the Board agrees to issue and the Applicant agrees to accept an Order Granting a Limited License as a Real Estate Salesperson, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
- IV. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
  - a) the right to request a hearing related to the denial of the application;
  - b) assuming a hearing takes place wherein the Applicant has the burden of proof by a preponderance of the evidence:
    - i. the right to confront and cross-examine the witnesses against Applicant;
    - ii. the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
    - iii. the right to testify on Applicant's own behalf;
    - iv. 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;
    - v. the right to petition for rehearing; and
  - c) 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.
- V. 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.



- VI. 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.
- VII. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.
- VIII. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.



Christine Warpinski, Applicant  
2323 Southwood Drive, Apt #8  
Appleton, WI 54519  
Application no. 613973

5/1/2019  
Date



A Member of the Real Estate Examining Board  
Department of Safety and Professional Services  
4822 Madison Yards Way  
P.O. BOX 8366  
Madison, WI 53707-7190

5/24/19  
Date