

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/wscga>

- 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

RYAN L. AMUNDSON,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
: **ORDER 0006855**

Division of Legal Services and Compliance Case No. 18 RHI 015

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

Ryan L Amundson
Wrightstown, WI 54180

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 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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Respondent Ryan L. Amundson (DOB xx/xx/1979) is registered in the State of Wisconsin as a home inspector, having registration number 2687-106, first issued on April 2, 2014 and current through December 14, 2020. Respondent Amundson's most recent address on file with the Department is located in Wrightstown, Wisconsin 54180.

2. On July 19, 2018, the Department received a complaint against Respondent. Division of Legal Services and Compliance (Division) Case Number 18 RHI 015 was subsequently opened for investigation.

3. On October 25, 2018, Respondent submitted his response to the complaint, which included a copy of his agreement to inspect and home inspection report.

4. The Department reviewed the agreement and inspection report and determined that Respondent had a limitation of liability clause and had not documented every aspect of the home that is required to be inspected.

5. Respondent's report did not include a description of the condition of all required plumbing components, counters and sink base cabinets, and all required electrical components.

6. On November 2, 2018, the Department mailed Respondent a letter with a list of changes that needed to be made to the agreement and inspection report in order for those documents to be compliant with Wis. Admin. Code § SPS 131.32 and Wis. Stat. § 440.976.

7. On December 13, 2018, Respondent provided updated copies of his agreement and home inspection report. A review of these determined that Respondent was now in compliance with Wis. Admin. Code § SPS 131.32 and Wis. Stat. § 440.976.

8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.978, 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 Amundson violated Wis. Stat. § 440.976 by including a limitation of liability provision in his agreements.

3. By the conduct described in the Findings of Fact, Respondent Amundson violated Wis. Stat. § 440.975(3)(a) and Wis. Admin. Code § SPS 131.32(6) by failing to observe and describe the condition of all required components of the plumbing system in the home inspection report.

4. By the conduct described in the Findings of Fact, Respondent Amundson violated Wis. Stat. § 440.975(3)(a) and Wis. Admin. Code § SPS 131.32(8)(a)3. by failing to observe and describe the condition of counters and sink base cabinets in the home inspection report.

5. By the conduct described in the Findings of Fact, Respondent Amundson violated Wis. Stat. § 440.975(3)(a) and Wis. Admin. Code § SPS 131.32(7) by failing to observe and describe the condition of all required components of the electrical system in the home inspection report.

6. As a result of the conduct and violations noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 440.978(2)(m).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Ryan L. Amundson is REPRIMANDED.
3. Within 90 days from the date of this Order, Respondent Ryan L. Amundson shall pay the COSTS of this matter in the amount of \$1,209.00.
4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent 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>

5. In the event Respondent violates any term of this Order, Respondent's credential (number 2687-106), or Respondent's right to renew his credential, may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Department 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.
6. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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

6-18-2020
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :

RYAN L. AMUNDSON, :
RESPONDENT. :

STIPULATION
ORDER 0006855

Division of Legal Services and Compliance Case No. 18 RHI 015

Respondent Ryan L. Amundson 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 Department of Safety and Professional Services (Department). 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 Department's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, 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 Department, the parties agree not to contend that the Department 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 Department ever assigned as an advisor in this investigation may appear before the Department 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 Department may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Department should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Department adopt this Stipulation, the Department'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 Department adopt this Stipulation and issue the attached Final Decision and Order.



Ryan L. Amundson, Respondent
Wrightstown, WI 54180
Credential no. 2687-106

5/5/2020

Date

Zachary Hatfield

Zachary Hatfield, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

05/05/20

Date