

## 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/wscca>

- 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](mailto:DSPS@wisconsin.gov)

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

---

IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
BREDE M. SORENSON, : FINAL DECISION AND ORDER  
RESPONDENT. :

---

**ORDER 0007023**

---

Division of Legal Services and Compliance Case No. 17 RHI 016

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

Brede M. Sorenson  
Tomah, WI 54666-6855

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

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

FINDINGS OF FACT

1. Respondent Brede M. Sorenson (Birth Year 1951) is registered by the State of Wisconsin as a home inspector, having registration number 1776-106, first issued on July 5, 2005 and current through December 14, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Tomah, Wisconsin 54666-6855.

2. On October 16, 2017, the Department received a complaint alleging that Respondent performed an inadequate home inspection. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 17 RHI 016 for investigation.

3. On August 10, 2017, Respondent performed a home inspection on Complainant's property located in Necedah, Wisconsin.

---

4. The Department reviewed Respondent's home inspection report and determined that the report was deficient as follows:

- a. Respondent failed to properly observe and describe the type and condition of the property's foundation in the report. Respondent incorrectly identified support columns as piers, did not describe the column type or condition, and did not mention whether a basement was present in the report. [Wis. Admin. Code § SPS 131.32(1)].
- b. Respondent failed to properly observe and describe the type and condition of the property's columns in the report. Respondent did not mention whether columns were present. [Wis. Admin. Code § SPS 131.32(2)].
- c. Respondent failed to properly observe and describe the type and condition of the property's flooring systems in the report. Respondent did not mention whether a foundation floor existed in the report. [Wis. Admin. Code § SPS 131.32(3)].
- d. Respondent failed to properly observe and describe the condition of the property's roof drainage system, flashing, chimney, and roof penetrations in the report. [Wis. Admin. Code § SPS 131.32(4)(a)].
- e. Respondent failed to properly observe and describe the condition of the windows, decks, grading, drainage, or driveways in the report. [Wis. Admin. Code § SPS 131.32(5)(a)].
- f. Respondent failed to properly observe and describe the condition of the interior water supply, drain vent and waste plumbing in the report. The report also lists the main water valve as located in a "crawl space," but there is no other mention of a crawl space in the report. [Wis. Admin. Code § SPS 131.32(6)(a)].
- g. Respondent failed to properly observe and describe the condition of the property's complete electrical system. Specifically, the report did not identify the location of exterior electrical outlets, did not comment on the presence or absence of GFCI or 2-prong electrical outlets, did not indicate the condition of switches or outlets, did not indicate the operation of a representative number of installed lighting fixtures, switches, and receptacles, and did not mention the testing, location, or existence of smoke detectors. [Wis. Admin. Code § SPS 131.32(7)(a)].
- h. Respondent failed to properly observe and describe the condition of the property's interiors. Respondent did not identify the condition of walls, ceilings, and floors, the type of counter, the existence of sink base cabinets, did not describe each door or window, and did not indicate whether the home has water penetration. [Wis. Admin. Code § SPS 131.32(8)(a)].

- i. Respondent failed to properly observe and describe the condition of the property's heating systems. The report did not comment on the operation or condition of the safety controls and did not comment on the presence or condition of solid fuel heating sources. [Wis. Admin. Code § SPS 131.32(9)(a)].
- j. Respondent failed to properly observe and describe the condition of the central air conditioning controls. [Wis. Admin. Code § SPS 131.32(10)(a)].
- k. Respondent failed to properly observe and describe the type and condition of the ventilation or the condition of the vent system. [Wis. Admin. Code § SPS 131.32(11)(a)].

5. Department records show that Respondent's credential was expired from December 17, 2014 to January 22, 2018.

6. Respondent's home inspection contracts reveal that Respondent completed 431 home inspections between December 17, 2014 and January 22, 2018.

7. On April 24, 2020, the Department emailed Respondent to request a current copy of a Home Inspection Report that complied with Wis. Admin. Code § SPS 131.32.

8. On April 28, 2020, the Department received a new home inspection report from Respondent dated April 27, 2020. A review of the report found that the report complied with Wis. Admin. Code § SPS 131.32.

9. 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 violated Wis. Stat. § 440.9712(1) by acting as a home inspector without being registered as a home inspector.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § SPS 131.32 by failing to properly observe and describe all of the required items that were present on the property at the time of the home inspection.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § SPS 131.33(1) by failing to submit a written report to a client following a home inspection that lists and describes all required items.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 440.978(2)(b),(m), and (3).

ORDER


1. The attached Stipulation is accepted.
2. Respondent Brede M. Sorenson is REPRIMANDED.
3. Within ninety (90) days from the date of this Order, Respondent Brede M. Sorenson shall pay a FORFEITURE in the amount of \$1,000, and the COSTS of this matter in the amount of \$2,327.00.
4. Payment of forfeiture and costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be 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](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit this information online via DSPS' Monitoring Case Management System at: <https://dspsmonitoring.wi.gov/>

5. In the event Respondent violates any term of this Order, Respondent's registration (number 1776-106), or Respondent's right to renew his registration, 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

10/7/2020  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

---

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

BREDE M. SORENSON,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

**ORDER 0007022**

---

Division of Legal Services and Compliance Case No. 17 RHI 016

Respondent Brede M. Sorenson and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

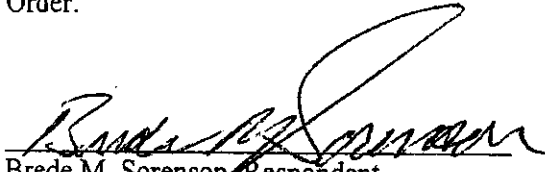
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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.

  
Brede M. Sorenson, Respondent  
Tomah, WI 54686-6855  
Credential No. 1776-106

8/1/20  
Date

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

8/3/20  
Date