

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

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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

- The Department's investigator attempted to email you at bergmannfamilyheating@gmail.com and/or bergmannheating@gmail.com on October 30, 2019, March 3, 2020, March 17, 2020, May 18, 2020, June 20, 2020, July 8, 2020, July 27, 2020.

- On June 23, 2020, you emailed the investigator and stated that you had received the complaint. You stated that you would pull your records from the job and would email the investigator a response. A formal response was not received.
- The Department attempted to call you on August 13, 20, and 25, 2020.
- On August 13, 2020, you answered the call from the investigator and stated that you were in the middle of collecting everything for your formal response. You then stated you would send a response via email by the end of the day. No formal response was received.
- The Department sent letters to your address on October 2, 2019, March 3, 2020, March 17, 2020 (this letter was sent certified and the Department received receipt that you signed for the letter), July 28, 2020 (this letter was sent certified and the Department received receipt that someone signed for the letter).
- The Department, in its communications, put you on notice of your duty to respond as required by Wis. Stat. § 440.20(5)(a).

Wis. Stat. § 440.20(5)(a) (applicable to HVAC Registrations through Wis. Stat. § 101.022) states that the department may suspend a credential, if the credential holder fails to respond, to the satisfaction of the department, within 30 days to a request for information from the department, in connection with an investigation of alleged misconduct of the credential holder. The Department's investigation shows that it attempted to contact you, the certified receipts show that you received the communications from the Department, and you failed to respond to the allegations in the complaint even after being put on notice that your registration may be suspended for your failure to respond. For these reasons, the Department has sufficient evidence to suspend your credentials until the underlying concerns relating to the complaint get investigated. Therefore, your HVAC Registration shall be suspended until you provide a satisfactory response, as determined by the Department, to the complaint.

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 November 16, 2020.



Al Rohmeyer
Chief Legal Counsel,
Department of Safety and Professional Services