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

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

SHANE RADER, &

SKY GENERAL LLC

RESPONDENTS.

ORDER 0007230

Case # 18 COM 232

TO: Shane Rader 7103 Wall Street Schofield, Wisconsin 54476

You are hereby notified that your Dwelling Contractor (DC-080900032) and Dwelling Contractor Qualifier (DCQ-090900015) Certifications are hereby suspended for eight weeks and/or until you pay the forfeiture issued against you, whichever is longer. Upon completion of the suspension and payment of the forfeiture, you must request reinstatement from the Department. Your accounts will be flagged. This suspension is due to:

- (1) your failure to respond to an investigation conducted by the Department concerning allegations of misconduct, negligence, and/or incompetence by you and your company;
- (2) your misconduct by engaging in unlicensed electrical work; and
- (3) your misconduct by answering inquiries into the investigation untruthfully.

The Department received a complaint that you were hired to perform work at 4606 Augustine Avenue, Weston, WI, and there were allegations that you engaged in performing electrical work without possessing the proper credentials. The Department opened an investigation regarding this complaint and found that the complaints allegations were meritorious.

In response to the complaint the Department attempted to contact you for a response. You did respond to the Department on April 7, 2020 and August 21, 2020. However, the Department had additional inquiries concerning the investigation and sent communications to you on October 7, October 22, and November 12, 2020, and never received a response.

Wis. Stat. § 440.20(5)(a) (applicable to Dwelling Contractor and Dwelling Contractor Qualifier Certificates 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 and you failed to respond even after being put on notice that your certificate may be suspended for your failure to respond (see DSPS letter to you dated 3/19/2020). For these reasons, the Department has sufficient evidence to suspend your credentials.

Further, a preponderance of evidence found that you engaged in unlicensed electrical work. The Department's investigation found that the inspector stated you performed the electrical work, the homeowner stated you performed the electrical work, and the individual listed on the permit stated he did not perform the electrical work and was unaware of the project.

Performing unlicensed activities and falsely listing electricians on permits is misconduct as defined by Wis. Admin. Code § SPS 305.003(43) and subjects you to discipline as allowed by Wis. Admin. Code § SPS 305.10(1)(a)5.

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 18 February, 2021.

Al Rohmever

Chief Legal Counsel,

Department of Safety and Professional Services