

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- 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>

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Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

- **March 10, 2020:** The Department's investigator sent an email and letter to you at your addresses on record asking for a response to the complaint by March 24. No response was received.

- April 10, 2020: The Department's investigator sent an email asking for a response by April 24. No response was received.
- April 30, 2020: The Department's investigator sent an email asking for a response by May 21. No response was received.
- On May 26, 2020, you did contact the Department to address the matter.
- June 5, 2020: The Department's investigator sent an email asking for a response as soon as possible. The investigator put you on notice of the response requirements laid forth in Wis. Stat. § 101.022 and Wis. Stat. § 440.20 and that discipline may be entered against you for failing to respond to the Department's satisfaction.
- July 8, 2020: The Department still had not received a response and sent another communication requesting a response.
- July 28, 2020: You emailed the Department stating you were working on a response but no response was received.
- August 12, 2020: The Department had still not received a response and sent another communication. On that day you provided a response, over two months after being put on notice that discipline could be entered for insufficient communication. In that communication you stated you needed additional guidance from the Department as to what questions the Department had. The Department provided you with said guidance and asked for a response by August 26, 2020.
- September 3, 2020: The Department did not receive a response. The investigator sent you another communication requiring a response by September 17.
- September 17, 2020: The Department did not receive a response.
- October 6, 2020: You communicated with the Department that you would provide a response.
- October 21, 2020: The Department still had not received a response. The investigator stated that this was his last attempt to contact you and if no response was received he would be working the case up for closure. On this date you provided your formal 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 to the allegations in the complaint in a reasonable amount of time. For these reasons, the Department has sufficient evidence to suspend your credentials.

Suspension for obtaining a permit and performing work without possessing the proper credentials in violation of Wis. Admin. Code § SPS 305.10(1)(a)8: 7 days.

The Department's investigation found that a permit was pulled from the City of Cedarburg for the construction of a covered deck on June 28, 2019. According to the Cedarburg ordinances the Uniform Dwelling Code applies to additions and alterations to all one- and two-family dwellings.


According to Department records and your admissions to the Department, your credentials were expired on June 28, 2019.

Pulling permits and engaging in dwelling contractor work without possessing the proper credentials is a violation of Wisconsin Code and local ordinances. Pursuant to Wis. Admin. Code § 305.10(1)(a)8 the Department may suspend credentials for individuals who violate state, federal, or local laws or regulations relating to the conduct of the activities under the certification.

Therefore, based on the foregoing, the Department finds that a total suspension of 21 days is appropriate and is entered pursuant to the terms laid out in this document.

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 April 5, 2021.



Al Rohmeyer
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Department of Safety and Professional Services