

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TONY BUTTERFIELD,
RESPONDENT.

:
:
:
:
:
:
NOTICE OF FORFEITURE

ORDER 0007457
Case # 18 COM 86

TO: Tony Butterfield
14346 W. State Road 77
Hayward, WI 54843
DC-021600088

Re: 45245 East Cable Lake Road, Cable, WI 54821

Mr. Butterfield:

You are hereby notified that you are subject to a forfeiture of \$ 250.00 in accordance with Wis. Stat. § 101.66(3) because your company, BUTTERFIELD INC DBA AMERICAN HOME SALES HAYWARD, performed work that was not in compliance with the Uniform Dwelling Code at 45245 East Cable Lake Road, Cable, WI 54821. As the applicant you are responsible for this payment. This forfeiture must be paid within 30 days of the date of mailing of this Notice, or a 12% interest penalty will be assessed and/or enforcement action may be taken against you.

The forfeiture of \$ 250.00 shall be made out to the "Department of Safety and Professional Services." Include in the memo line "18 COM 86" and send to the following address:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
4822 Madison Yards Way
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You have the right to request a review of the assessment of forfeiture by sending a written request addressed to Administrator, Division of Industry Services at P.O. Box 7302, Madison, WI 53707-7302 which must be received by the Department no later than 30 days from the date of mailing of this Notice (Date of mailing is date listed above signature block on final page of this document unless otherwise noted by Department). A request for a review will follow the requirements laid out in Wis. Stat. § 101.02(6). Your request must include a statement of the specific reasons why you believe the forfeiture and the grounds for its assessment should be

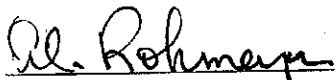
overturned. A request will be denied if received more than 30 days from the date of mailing of this Notice. Upon receipt of any request for review, the Department will follow up with you in writing with regard to your request.

You are receiving this forfeiture because it was determined that your company performed work that was not code compliant at 45245 East Cable Lake Road, Cable, WI 54821. An investigation was opened and three (3) code violations were found:

- Patio is sloped toward the dwelling.
 - Wis. Admin. Code Sec. SPS 321.12 Drainage. (2) OTHER SURFACES. Where the finished surface is impervious, it shall slope away from the dwelling for at least 10 feet at a rate that ensures equivalent drainage.
- No insulation installed at basement wall:
 - Wis. Admin. Code Sec. SPS 322.31(1) REQUIREMENTS.
 - (a) Except as specifically provided under this subchapter, dwellings using the prescriptive method shall meet the requirements of Table 322.31-1 or 322.31-2.
 - (b) In Tables 322.31-1 and 322.31-2, zone 2 consists of the following 15 northern counties: Ashland, Bayfield, Burnett, Douglas, Florence, Forest, Iron, Langlade, Lincoln, Oneida, Price, Sawyer, Taylor, Vilas and Washburn. Zone 1 consists of all other counties not included in zone 2.
- Damp-proofing provided in location where prohibited at exterior wall:
 - Wis. Admin. Code Sec. SPS 322.38(4) CONCRETE OR MASONRY BASEMENT WALLS. A non-rigid sheet vapor retarder with a perm rating of 0.1 or less is prohibited in all of the following locations:
 - (a) On a concrete or masonry wall which is below grade to any extent.
 - (b) On an insulated frame wall constructed in front of a concrete or masonry wall which is below grade to any extent

Constructing a one or two family dwelling in violation of the UDC is a violation of Wis. Admin. Code Sec. SPS 320.22 (1) and subjects you to forfeitures as allowed by Wis. Stat. § 101.66. For these reasons the forfeiture of \$250.00 is appropriate.

Dated at Madison, Wisconsin on July 6, 2021.



Aloysius Rohmeyer

Chief Legal Counsel

Department of Safety and Professional Services

P.O. Box 8368

Madison, WI 53708-8368