

## 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/wscga>

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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JUSTIN S. LEACH,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 000748**

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Division of Legal Services and Compliance Case No. 18 REB 112

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

Justin S. Leach  
New Richmond, WI 54017

Wisconsin Real Estate Examining Board  
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 Real Estate Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Respondent Justin S. Leach (Birth Year 1990) was licensed by the state of Wisconsin as a real estate salesperson, having license number 80001-94, first issued on March 20, 2015 and expired on December 15, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in New Richmond, Wisconsin 54017.

2. On December 5, 2018, a Department investigator sent a memorandum to the Board explaining that in his work on another case, DLSC case number 17 COM 121, which involved Respondent's Dwelling Contractor Certification, he had discovered a number of issues that he thought might constitute rule or law violations relating to Respondent's real estate salesperson license. In case 17 COM 121, the Department revoked Respondent's Dwelling

Contractor Certification due to unsatisfied construction liens and foreclosure judgments against him in Wisconsin Circuit Courts. The Department opened DLSC Case No. 18 REB 112, to investigate the issues regarding Respondent's real estate license.

3. On December 12, 2018, the Department sent a letter to Respondent at his address of record to request a written response to the allegations and a copy of the transaction file.

4. On December 17, 2018, Respondent replied and stated that he thought this case had been closed. He stated that he no longer had any information regarding the transaction at issue. He did not provide any documentation.

5. On December 18, 2018, the Department received the transaction file from Respondent's former supervising broker.

6. The WB-11 Offer to Purchase form that Respondent drafted for client G.M., signed on April 18, 2017, included the following errors:

- a) On Line 1, Respondent entered his name instead of the drafting date;
- b) On Lines 5 and 6, Respondent did not properly enter the town information;
- c) Respondent did not enter the property address at the tops of pages 3, 5, 7, and 9;
- d) On line 459, Respondent did not enter his Real Estate Business Entity.

7. Respondent informed the Department that he no longer works in real estate and will not seek to renew his license for the foreseeable future.

8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 452.14 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 440.08(3), Respondent Justin S. Leach retains the right to renew his real estate salesperson license until December 14, 2023.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 452.133(1)(b), pursuant to § 452.133(4m)(a), by failing to provide brokerage services with reasonable skill and care.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 16.06(8) by failing to use approved forms in such a manner as to

adequately accomplish the contractual instruction of the person for whom the licensee uses the forms.

5. As a result of the above violations, Respondent is also subject to discipline pursuant to Wis. Stat. § 452.14(3)(L).

ORDER

1. The attached Stipulation is accepted.
2. The VOLUNTARY SURRENDER of Respondent Justin S. Leach's right to renew his real estate salesperson's license (no. 80001-94) is ACCEPTED.
3. Respondent may petition the Board or its designee for reinstatement of his real estate salesperson's license (no. 80001-94) after 3 years. Any such petition shall include:
  - a. Payment of COSTS of this matter in the amount of \$956.00.
  - b. Proof of Respondent's current competency to practice as a Wisconsin real estate salesperson as evidenced by successful completion of all continuing education courses for the biennium immediately preceding the biennium reinstatement is sought.
4. If the Board decides to reinstate Respondent's license to practice, Respondent's license shall be LIMITED as follows:
  - a. Respondent is required to work under a supervising broker who is approved by the Board or its designee.
5. The Board may determine under what terms and conditions any petition may be granted and such licensure may be reinstated.
6. Any petition to the Board and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent 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) 266-2112 Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

You may also submit this information online via the Department's Monitoring Case Management System at

<https://dpsmonitoring.wi.gov>

7. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE EXAMINING BOARD

by: Thomas J. Rabie  
A Member of the Board

28 July 2021  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JUSTIN S. LEACH,  
RESPONDENT.

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STIPULATION

**ORDER 0007480**

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Division of Legal Services and Compliance Case No. 18 REB 112

Respondent Justin S. Leach 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 Real Estate Examining Board (Board). 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 Board's order, if adopted in the form as attached.


5. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

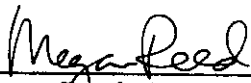
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board'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 Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Justin S. Leach, Respondent  
New Richmond, WI 54017  
Credential No. 80001-94

06/08/2021  
Date

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

06/10/2021  
Date