

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DEBRA J. CONWAY AND
WOODLAND REALTY,
RESPONDENTS.

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FINAL DECISION AND ORDER

ORDER 0007492

Division of Legal Services and Compliance Case No. 19 REB 061

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

Debra J. Conway
Thorp, WI 54771

Woodland Realty
Withee, WI 54498

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 Debra J. Conway (Birth Year 1955) is licensed by the State of Wisconsin as a real estate broker, having license number 54920-90, first issued on January 8, 2008 and current through December 14, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Thorp, Wisconsin 54771.

2. Respondent Woodland Realty is licensed by the State of Wisconsin as a real estate business entity, having license number 937115-91, first issued on May 17, 2012 and current through December 14, 2022. Respondent's most recent address on file with the Department is in Withee, Wisconsin 54498.

3. Respondent Debra J. Conway is identified in Department records as the responsible licensee in charge of Respondent Woodland Realty.
4. On May 24, 2019, the Department received a complaint alleging that Respondents had acted improperly during a real estate transaction. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 19 REB 061 for investigation.
5. In 2019, Respondents represented the seller in a real estate transaction.
6. On April 29, 2019, Complainant made an Offer to Purchase the subject property.
7. On May 5, 2019, Respondent Conway left a voicemail for Complainant in which Respondent Conway discussed Complainant's offer with another person.
8. On May 7, 2019, the subject property sold to another buyer.
9. On July 25, 2019, Respondent Conway provided the Department with copies of the transaction documents and admitted that the voicemail depicted her discussion of Complainant's offer with another prospective buyer.
10. On January 29, 2020, Respondent Conway stated that the individual she discussed Complainant's offer within the May 5, 2019 voicemail was her significant other, and that she and her significant other had been considering purchasing the subject property.
11. A review of the transaction documents showed that Respondents did not use the Board approved forms for the Listing Contract and the Listing Contract's Amendments.
12. In resolution of this matter, Respondents consent 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. By the conduct described in the Findings of Fact, Respondent Woodland Realty violated Wis. Stat. § 452.133(1)(b) by failing to provide brokerage services with reasonable skill and care.
3. By the conduct described in the Findings of Fact, Respondent Debra J. Conway violated Wis. Stat. § 452.133(1)(b) by failing to provide brokerage services with reasonable skill and care pursuant to Wis. Stat. § 452.133(4m)(a).
4. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § REEB 16.04(1) by failing to use approved forms in a real estate transaction.

5. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § REEB 24.03(2)(b) by failing to act to protect the public against fraud, misrepresentation and unethical practices.

6. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § REEB 24.12(1) by disclosing the terms of one prospective buyer's offer to purchase to another prospective buyer.

7. As a result of the above violations, Respondents are subject to discipline pursuant to Wis. Stat. § 452.14(3)(L),(m), and (4m)(b).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Debra J. Conway is REPRIMANDED.
3. Respondent Woodland Realty is REPRIMANDED.
4. Respondent Debra J. Conway's real estate broker license (no. 54920-90) is LIMITED as follows:
 - a. Within sixty (60) days of the date of this Order, Respondent shall successfully complete six credits of remedial education on the topics of approved forms and business ethics from a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam(s) offered for the course(s).
 - b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
 - c. The education completed pursuant to this Order may not be used to satisfy any other continuing education requirements with the Board.
5. Within ninety (90) days from the date of this Order, Respondent Debra J. Conway shall pay one-half of the COSTS of this matter in the amount of \$593.00.
6. Within ninety (90) days from the date of this Order, Respondent Woodland Realty shall pay one-half of the COSTS of this matter in the amount of \$593.00.

7. Requests for pre-approval, proof of successful course completion, and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondents 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) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS' Monitoring Case Management System at: <https://dpsmonitoring.wi.gov/>

8. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 54920-90 and 937115-91), or Respondents' right to renew their credentials, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: 
A Member of the Board

28 July 2021
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DEBRA J. CONWAY AND
WOODLAND REALTY,
RESPONDENTS.

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STIPULATION

ORDER 0007492

Division of Legal Services and Compliance Case No. 19 REB 061

Respondents Debra J. Conway and Woodland Realty and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

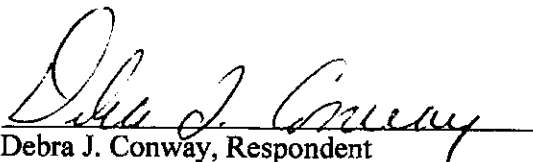
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.
2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:
 - the right to a hearing on the allegations against Respondents, 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 Respondents;
 - the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
 - the right to testify on Respondents' 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 Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation.
4. Respondents agree 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. Respondents waive 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 Respondents, 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.

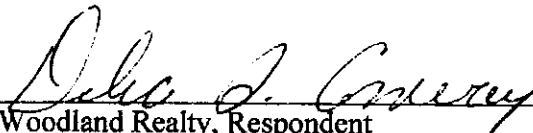
7. Respondents are informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Debra J. Conway, Respondent
Thorp, WI 54771
Credential No. 54920-90

4-9-2021
Date



Woodland Realty, Respondent
By: Debra J. Conway, Responsible Licensee
Withee, WI 54498
Credential No. 937115-91

4-9-2021
Date



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

04/13/21
Date