

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 :
 : FINAL DECISION AND ORDER
MARK A. RUPPELT, :
RESPONDENT. : **ORDER 0007560**

Division of Legal Services and Compliance Case No. 20 REB 035

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

Mark A. Ruppelt
Slinger, WI 53086

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 Mark A. Ruppelt (Birth Year 1969) is licensed by the state of Wisconsin as a Real Estate Salesperson, having license number 80828-94, first issued on September 1, 2015 and current through December 14, 2020¹ with the Department. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in Slinger, Wisconsin.

¹ Respondent applied timely for renewal and therefore his license is current, but his renewal application is pending. See Wis. Stat. § 440.08(3).

2. On May 15, 2020, Respondent submitted a Report of Conviction form to the Department, indicating that he had been convicted on May 8, 2020, of three counts of wire fraud, Class C felonies, in United States District Court case no. 20-CR-15-JPS.

3. According to the Information, Respondent was an attorney licensed in the State of Wisconsin. In 2014, Respondent began representation of a client pursuing a sentence reduction. The client was serving a sentence in federal prison in Colorado for a drug conviction.

4. The Information states that Respondent told his client that he could pay the Assistant U.S. Attorney and the probation officer in the case to obtain a lesser sentence. Over the course of 2014 and early 2015, the client's family sent \$30,000 to Respondent. Respondent returned \$6,000 back to the parents in May 2016, four days after they made a complaint to the Office of Lawyer Regulation about Respondent.

5. Respondent was charged with wire fraud for three phone calls in 2016 with the client in Colorado regarding the alleged scheme.

6. According to the Plea Agreement form, filed January 24, 2020, Respondent pled guilty to the three counts of wire fraud and agreed to pay \$24,000 in restitution to the family of the client. Respondent paid the full restitution amount on May 7, 2020.

7. On May 8, 2020, Respondent was sentenced to two years of probation and 240 days of home confinement. He was also ordered to pay a fine of \$300.

8. Respondent voluntarily resigned his law license in January 2020.

9. 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. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.17(1) by violating a law the circumstances of which substantially relate to the practices of a real estate licensee.

3. As a result of the above violation, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(p).

ORDER

1. The attached Stipulation is accepted.

2. The real estate salesperson license of Mark A. Ruppelt (license no. 80828-94) is SUSPENDED for sixty (60) calendar days, beginning 14 calendar days after the date of this Order, or until all of the following are satisfied, whichever is longer:

- a. Respondent successfully completes six (6) hours of education on the topic of professional ethics and/or professional responsibility offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for this course. The course(s) do not need to be approved for continuing education credit by the Board and could be courses approved for credit in other states besides Wisconsin.
- b. Respondent successfully completes ten (10) hours of education on the topics of consumer protection and office management, offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for this course.
- c. Respondent submits proof of successful completion of the ordered education above in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- d. Respondent submits to the Board or its designee a detailed written report that explains his convictions, what he has learned from this experience, and how he will always remain ethical.

3. The real estate salesperson license of Mark A. Ruppelt (license no. 80828-94) is also LIMITED as follows:

- a. Respondent is prohibited from holding client funds. This limitation shall also be applied to any additional credential that Respondent may be issued by the Board or the Department in the future.
- b. Respondent shall comply with all terms of his probation in case no. 20-CR-15-JPS.
- c. Respondent shall at all times practice as a real estate salesperson under the supervision of a Wisconsin licensed real estate broker approved by the Board. Approval shall be obtained through correspondence with the Department Monitor.
- d. Respondent shall notify his broker-supervisor(s)/employer(s) of his history of arrests and convictions prior to employment. Respondent shall show a copy of this Order to his current and any future employer. Respondent shall provide the Department Monitor with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be

provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.

- e. Respondent shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within forty-eight (48) hours of any such event, including any convictions resulting from pending charges.
- f. Respondent shall file quarterly reports with the Board at the direction of the Department Monitor commencing ninety (90) days after Respondent commences employment under this Order. Each report shall include the following:
 - i. The name, address and telephone number of Respondent, and name, address and telephone number of his employer.
 - ii. A statement from the Respondent as to whether he has had any probation violations or any law enforcement contacts leading to arrest, charge, or conviction, (including DWI/OWI and municipal/ordinance violations) during the term of the Order.
 - iii. Respondent shall report to the Department Monitor any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
- g. Respondent shall arrange for written reports from his broker-supervisor(s)/ employer(s) to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance and describe the circumstances of his employment, including the nature and extent of the Respondent's sales activities and whether he has practiced in compliance with all laws governing the practice of real estate as a salesperson, including the Code of Ethics.
- h. Respondent is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Respondent shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order.
- i. Respondent may petition the Department Monitor for removal of the limitations in paragraphs (b) through (g) upon demonstration of continuous, successful practice in compliance with the terms and conditions of the Order for at least two (2) years. "Practice in compliance" includes the submission of work reports, the contents of which are satisfactory to the Board. Respondent's petition must include his history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling two (2) years of practice. Any such petition shall be accompanied

by a written recommendation from Respondent's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment. A denial of such a petition for full licensure shall not be deemed a denial of license under Wis. Stat. §§ 227.01(3), or 227.42, or Wis. Admin. Code Ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

4. Within 90 days of the date of this Order, Respondent Mark A. Ruppelt (license no. 80828-94) shall pay COSTS of this matter in the amount of \$1,350.

5. Any requests for pre-approval, submissions, petitions or 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

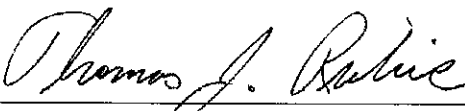
You may also submit this information online via the Department's Monitoring Case Management System at

<https://dpsmonitoring.wi.gov>

6. In the event Respondent violates any term of this Order, Respondent's license (no. 80828-94), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has 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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: 
A Member of the Board

19 August 2021
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

MARK A. RUPPELT,
RESPONDENT.

:
:
:
:
:

STIPULATION
ORDER 0007560

Division of Legal Services and Compliance Case No. 20 REB 035

Respondent Mark A. Ruppelt 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.

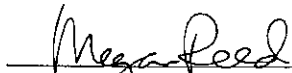
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Mark A. Ruppelt, Respondent
Slinger, WI 53086
Credential No. 80828-94

6/16/2021
Date



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

06/21/2021
Date