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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STATE OF WISCONSIN BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST

NOTICE OF FORFEITURE

MARTIN O'NEAL

ORDER 0007:53

Case # 21 COM 16

RESPONDENT.

TO: Martin O'Neal

E3331 North Ridge Road

Genoa WI 54632

Michael S. Windle Abt Swayne Law 210 N Main Street PO Box 128 Westby WI 54667

Westby WI 34007

Re: UNLICENSED ELECTRICAL WORK

You are hereby notified that you are subject to a forfeiture of \$6,250.00 in accordance with Wis. Stat. § 101.88(3) because you engaged in electrical work without possessing the necessary credential in violation of Wis. Stat. § 101.862(2) and you engaged in the business of electrical work without possessing an electrical contractor license in violation of Wis. Stat. § 101.862(1). This forfeiture must be paid within 30 days of the date of mailing of this Notice or enforcement action may be taken against you. In addition, you shall not be able to obtain a credential with the Department until this forfeiture is paid.

The forfeiture of \$6,250.00 shall be made out to the "Wisconsin Department of Safety and Professional Services." Include in the memo line "21 COM 16" 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 are receiving this forfeiture because a Department investigation found you performed electrical work at S3830 Newton Road, Genoa WI 54632 without possessing any electrical

license. A license is required in the State of Wisconsin to perform most electrical work. An investigation by the Department found a preponderance of evidence that you engaged in electrical work without the proper credential.

The basis of the forfeiture stems from the invoices which indicate that you were at the site approximately 50 different days performing electrical work. The Department utilized discretion and found that a forfeiture for half the days (25) and for half the total allowable forfeiture (\$250) was appropriate. The Department found that this was a large electrical project where your failure to be properly licensed put the public and the homeowners at risk of injury or death.

The Department considered your claim that you were unaware of licensing requirements and finds that unpersuasive. It is reasonable to believe that you should understand the licensing requirements associated with the electrical profession. Upon the payment of the forfeiture, if you wish to continue performing electrical work you shall immediately obtain the appropriate credential. You shall cease and desist from any electrical work until you possess the proper credential. Failure to do so can lead to future disciplinary actions.

You have the right to request a hearing on this matter 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 review will be held in accordance with the requirements set forth in Wis. Stat. § 101.02(6). Such request for review shall set out specifically and in full detail every reason why this order is unreasonable, and every issue to be considered by the Department in the review.

For engaging in electrical work without the proper credential and for operating a business without the proper credential the forfeiture of \$6,250.00 is assessed in accordance with Wis. Stat. § 101.88(3).

Dated at Madison, Wisconsin on October 29, 2021.

Aloysius Rohmeyer

General Counsel

Department of Safety and Professional Services

P.O. Box 8368

Madison, WI 53708-8368