

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- 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/wscga>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

The Department's investigation also found by a preponderance of the evidence that you engaged in "misconduct" as defined by Wis. Admin. Code § SPS 305.003(43). The Department found that you engaged in financial misconduct by failing to properly pay the subcontractors who

worked on the project. The Department found, in total, approximately \$37,000 in funds that were designated for a subcontractor and ultimately never given to said contractor. The Department's investigation found seven (7) subcontractors who did not receive their full payment or payments where you indicated from the construction loan that it would be going to a subcontractor and then you would pay the subcontractor less than what you had indicated.

Wis. Admin. Code § SPS 305.10(1)(a)8 & 14b. Revocation for failure to follow state and local rules.

The investigation found that you started the job prior to obtaining the necessary permit. The Department spoke with the local inspector who indicated that you started the project and poured a slab of concrete prior to obtaining a permit, a violation of local and state rules.

The Department provided you an opportunity to respond and considered your responses, including the fact that you indicated verbally numerous times to the investigator that you were willing to forfeit your credentials. You stated that you were no longer building homes and an internet search of your company found that to be a credible claim.

Based on the foregoing, the Department finds that you engaged in negligence, incompetence, and misconduct. These actions put the public at harm, create public distrust and the Department has authority under Wis. Admin. Code § SPS 305.10(1)(a)3, 5, 8, & 14 to revoke your credentials for this behavior.

You have the right to request a hearing on the revocation 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. The request for a hearing on the revocation shall set out specifically and in full detail every reason why this order is unreasonable, and every issue to be considered by the department on the hearing. Anything not addressed in the request shall be deemed waived. Any hearing on the revocation will be held in accordance with the requirements set forth in Wis. Stat. ch. 227.

Dated at Madison, Wisconsin on October 29, 2021.



Al Rohmeyer
Chief Legal Counsel,
Department of Safety and Professional Services