

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

HANS E. MELGES AND
MELGES REAL ESTATE LLC,
RESPONDENTS.

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FINAL DECISION AND ORDER

ORDER 0007741

Division of Legal Services and Compliance Case No. 20 REB 107

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

Hans E. Melges
Lake Geneva, WI 53147

Melges Real Estate LLC
Lake Geneva, WI 53147

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 Hans E. Melges (Birth Year 1965) is licensed by the State of Wisconsin as a real estate broker, having license number 58290-90, first issued on October 19, 2017, 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 Lake Geneva, Wisconsin.

2. Respondent Melges Real Estate LLC is licensed by the State of Wisconsin as a real estate business entity, having license number 938145-91, first issued on October 23, 2017 and current through December 14, 2022.

3. Respondent Hans E. Melges is identified in Department records as the responsible licensee in charge of Melges Real Estate LLC.

4. On November 13, 2020, the Department received a complaint from another real estate licensee ("Complainant") that Respondent Melges had sent Complainant a threatening text message. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 20 REB 107 for investigation.

5. Respondents had a listing contract for a property located at N1921 Bluff Land in Lake Geneva, Wisconsin. Respondents' listing contract expired on November 6, 2020.

6. On November 7, 2020, Complainant sent a letter to the homeowner at N1921 Bluff Land regarding listing the property with Complainant.

7. On November 10, 2020, Complainant sent a second letter to the homeowner at N1921 Bluff Land.

8. On November 11, 2020, Respondent Melges sent a text message to Complainant in which he stated he would be contacting all of Complainant's clients to see if they would like to list with him. Further, he wrote, "Yep, I am sending to all yours and will start my negative campaign. Hope it was worth it."

9. On January 21, 2021, Respondent Melges provided a response to the complaint. He admitted that he did send the text message, but he stated he had no intention on following through with contacting any of Complainant's listings.

10. 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, Respondents violated Wis. Admin. Code § REEB 24.03(2)(b) by failing to act to protect the public against fraud, misrepresentation and unethical practices.

3. As a result of the above violation, Respondents are subject to discipline pursuant to Wis. Stat. § 452.14(3)(L).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Hans E. Melges is REPRIMANDED.
3. Respondent Melges Real Estate, LLC is REPRIMANDED.
4. Respondent Hans E. Melges's real estate broker's license (no. 58290-90) is LIMITED as follows:
 - a. Within ninety (90) days of the date of this Order, Respondent shall successfully complete an education course on the topic of business ethics offered by a provider pre-approved by the Board's monitoring liaison, including taking and passing any exam offered for this course.
 - 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. The education completed pursuant to this requirement may not 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.
5. Within 90 days from the date of this Order, Respondent Hans E. Melges shall pay the COSTS of this matter in the amount of \$866.
6. All required requests for pre-approval, course certifications, and other submissions, including 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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

This information may also be submitted online via DSPS' Monitoring Case Management System at: <https://app.wi.gov/DSPSMonitoring>.

7. In the event Respondents violate any term of this Order, Respondents' licenses (no. 58290-90 and 938145-91), or Respondents' right to renew their licenses, 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

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: 
A Member of the Board

9 December 2021
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

HANS E. MELGES AND
MELGES REAL ESTATE LLC,
RESPONDENTS.

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STIPULATION

ORDER 0007741

Division of Legal Services and Compliance Case No. 20 REB 107

Respondents Hans E. Melges and Melges Real Estate LLC 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

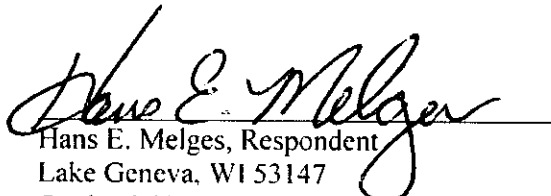
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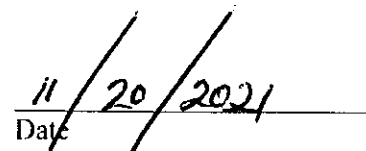
of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

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.

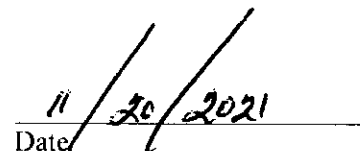
7. Respondents are informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

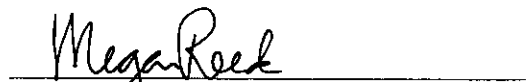
8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Hans E. Melges, Respondent
Lake Geneva, WI 53147
Credential No. 58290-90


Date


Melges Real Estate LLC, Respondent
By: Hans E. Melges, Responsible Licensee
Lake Geneva, WI 53147
Credential No. 938145-91


Date


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

11/22/2021
Date