

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
JEFFREY T. TEKAVER, TAMMY L. TEKAVER,	:	
AND TEKAVER ENTERPRISES INC.,	:	
RESPONDENTS.	:	ORDER 0007744

Division of Legal Services and Compliance Case No. 19 REB 127

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

Jeffrey T. Tekaver
West Allis, WI 53227

Tammy L. Tekaver
Muskego, WI 53150

Tekaver Enterprises Inc.
West Allis, WI 53227

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 Jeffrey T. Tekaver (Birth Year 1966) is licensed by the State of Wisconsin as a real estate salesperson, having license number 31319-94, first issued on July 11, 1989 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 West Allis, Wisconsin 53227.

2. Respondent Tammy L. Tekaver (Birth Year 1967) is licensed by the State of Wisconsin as a real estate broker, having license number 50660-90, first issued on May 22, 2001 and current through December 14, 2022. Respondent's most recent address on file with the Department is in Muskego, Wisconsin 53150.

3. Respondent Tekaver Enterprises Inc. is licensed by the State of Wisconsin as a real estate business entity, having license number 835430-91, first issued on June 11, 2001 and current through December 14, 2022. Respondent's most recent address on file with the Department is in West Allis, Wisconsin 53227. Respondent has a trade name on file with the Department as Metro Realty Group.

4. Respondent Jeffrey T. Tekaver was previously disciplined in 18 REB 040 for failing to complete the required continuing education for the 2014-2016 biennium. Respondent Jeffrey T. Tekaver successfully complied with the terms of Order #6380 and was granted full licensure.

5. Respondent Tammy L. Tekaver was previously disciplined in 18 REB 040 for failing to complete the required continuing education for the 2014-2016 biennium. Respondent Tammy L. Tekaver successfully complied with the terms of Order #6380 and was granted full licensure.

6. Respondent Tammy L. Tekaver is identified in Department records as the responsible licensee in charge of Respondent Tekaver Enterprises Inc.

7. On November 11, 2019, the Department received a complaint alleging that Respondents signed Complainant's name on multiple real estate transaction documents without Complainant's permission. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 19 REB 127 for investigation.

8. On May 7, 2019, Respondent Jeffrey T. Tekaver drafted a WB-3 Vacant Land Listing Contract (Listing Contract) for the sale of Complainant's property, and signed Complainant's name on line 326 of the form. Respondent Jeffrey T. Tekaver also filled out the Property Condition Report and signed Complainant's name.

9. On May 11, 2019, Respondent Jeffrey T. Tekaver received a WB-13 Vacant Land Offer to Purchase (OTP) for Complainant's property.

10. On May 12, 2019, Respondent Jeffrey T. Tekaver signed Complainant's name on line 546 of the OTP and on line 30 initialed for Complainant when changing the binding acceptance date.

11. On January 3, 2020, Respondent Jeffrey T. Tekaver emailed a statement to the Department in which he admits that he signed Complainant's name for the transaction, but states that he had Complainant's verbal permission to do so.

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 Jeffrey T. Tekaver 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).

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

4. By the conduct described in the Findings of Fact, Respondents Tekaver Enterprises Inc. and Tammy L. Tekaver violated Wis. Admin. Code § REEB 24.17(3) by aiding and abetting the above-referenced violations.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Jeffrey T. Tekaver is REPRIMANDED.

3. Respondent Tammy L. Tekaver is REPRIMANDED.

4. Respondent Tekaver Enterprises Inc. is REPRIMANDED.

5. Respondent Jeffrey T. Tekaver's real estate salesperson license (no. 31319-94) is LIMITED as follows:

- a. Within sixty (60) days of the date of this Order, Respondent shall successfully complete 3 hours of education on the topic of 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.

6. Respondent Tammy L. Tekaver's real estate broker license (no. 50660-90) is LIMITED as follows:

- a. Within sixty (60) days of the date of this Order, Respondent shall successfully complete 3 hours of education on the topic of 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.

7. Within ninety (90) days from the date of this Order, Respondent Jeffrey T. Tekaver shall pay one-third of the COSTS of this matter in the amount of \$466.

8. Within ninety (90) days from the date of this Order, Respondent Tammy L. Tekaver shall pay one-third of the COSTS of this matter in the amount of \$466.

9. Within ninety (90) days from the date of this Order, Respondent Tekaver Enterprises Inc. shall pay one-third of the COSTS of this matter in the amount of \$466.

10. 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) 267-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

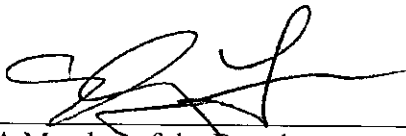
You may also submit this information online via DSPS' Monitoring Case Management System at: <https://app.wi.gov/DSPSMonitoring>

11. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 31319-94, 50660-90, and 835430-91), 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.

12. 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

JEFFREY T. TEKAVER, TAMMY L. TEKAVER,
AND TEKAVER ENTERPRISES INC.,
RESPONDENTS.

STIPULATION

ORDER 0007744

Division of Legal Services and Compliance Case No. 19 REB 127

Respondents Jeffrey T. Tekaver, Tammy L. Tekaver, and Tekaver Enterprises Inc. 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.

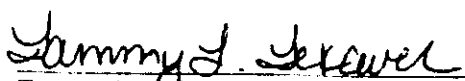
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondents, for purposes 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.


Jeremy T. Tekaver, Respondent
West Allis, WI 53227
Credential No. 31319-94

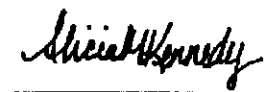
11/10/21
Date


Tammy L. Tekaver, Respondent
Muskego, WI 53150
Credential No. 50660-90

11/10/21
Date


Tekaver Enterprises Inc., Respondent
By: Tammy L. Tekaver, Responsible Licensee
West Allis, WI 53227
Credential No. 835430-91

11/10/21
Date


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

11/19/2021
Date