

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

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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.
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- 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>

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

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TROY HERMSEN,

RESPONDENT.

:
:
: NOTICE OF FORFEITURE
: AND NOTICE OF RIGHT
: TO REQUEST REVIEW

:
:
: Case # 19 COM 89

:
: Order: **ORDER 0007799**

TO: Troy Hermesen
1215 Lewis Street
Little Chute, Wisconsin 54140

You are hereby notified that you are subject to a forfeiture of **\$500.00** in accordance with Wis. Admin. Code § SPS 305.125(1)(h) for failure to possess a registration as a cross connection control tester under Wis. Admin. Code § SPS 305.99 while testing cross connection control devices. This is a violation of Wis. Stat. § 145.06(3m) and Wis. Admin. Code § SPS 305.99. This forfeiture must be paid within 30 days of the date of mailing of this Notice, or a 12% interest penalty will be assessed and/or enforcement action may be taken against you. Further, you shall not be allowed to obtain a credential from the Department of Safety and Professional Services until this forfeiture is paid.

The forfeiture of **\$500.00** shall be made out to the "Department of Safety and Professional Services." Include in the memo line "19 COM 89" 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 have the right to request a review of the assessment of forfeiture by sending a request addressed to Division Administrator; Division of Industry Services, P.O. Box 7302, Madison, WI 53707-7302. Any review of the assessment of forfeiture will be held in accordance with the requirements set forth in Wis. Admin. Code § SPS 305.125. 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.

You are receiving this forfeiture because a Department investigation found that you performed a cross connection test at the Grafton Village Hall. A Department search of credentials found that you did not possess a Cross Connection Control Tester Registration as issued under Wis. Admin. Code § SPS 305.99. A Registration is required to perform the work you engaged in as required by Wis. Stat. § 145.06(3m). You were afforded the opportunity to respond to this Complaint and you did not present any evidence that you possessed the required registration or that a registration was not required for the work performed. Further, the Department worked with DSPS staff to determine that a registration was required for the work you performed. Based on this, there is sufficient evidence that you performed the test without possessing the proper registration.

Wisconsin code states that the Department may issue a forfeiture against an unlicensed individual if it is found that the individual performed a cross control test without the proper registration. For these reasons a forfeiture of \$500.00 is assessed in accordance with Wis. Admin. Code § SPS 305.125.

Dated at Madison, Wisconsin on January 31, 2022.

A handwritten signature in black ink, appearing to read "A. Rohmeyer", is written over a horizontal line.

Aloysius Rohmeyer
Chief Legal Counsel
Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368