

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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**Before the
State Of Wisconsin
Real Estate Examining Board**

In the Matter of the Disciplinary Proceedings
Against Raymond H. Chou and Target Solutions,
LLC, Respondents.

FINAL DECISION AND ORDER

Order No. **ORDER 00078 13**

**Division of Legal Services and Compliance Case Nos. 17 REB 095, 17 REB 109,
and 18 REB 046**

The State of Wisconsin, Real Estate Examining Board, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, make the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Real Estate Examining Board.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin on the 3rd day of February, 2022.

Member
Real Estate Examining Board



Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of Disciplinary Proceedings Against
Raymond H. Chou and Target Solutions, LLC,
Respondents

DHA Case No. SPS-21-0045
DLSC Case Nos. 17 REB 095,
17 REB 109, and 18 REB 046

PROPOSED DECISION AND ORDER

The parties to this proceeding for purposes of Wis. Stat. §§ 227.47(1) and 227.53 are:

Raymond H. Chou
8926 N. Greenwood Ave. #222
Niles, IL 60714

Target Solutions, LLC
8926 N. Greenwood Ave. #222
Niles, IL 60714

Wisconsin Real Estate Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Department of Safety and Professional Services, Division of Legal Services and
Compliance, by

Attorney Renee M. Parton
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

PROCEDURAL HISTORY

These proceedings were initiated when the Department of Safety and Professional Services (Department), Division of Legal Services and Compliance (Division), filed and served a formal Notice of Hearing and Complaint against Respondents Raymond H. Chou and Target Solutions, LLC (Respondents). The Division filed a Complaint seeking disciplinary action against the Respondents' credentials pursuant to Wis. Stat. §§ 452.14(3)(h), (L), and (4). The Division's Complaint alleged the following: (1) The Respondent Raymond H. Chou violated Wis. Admin. Code § REEB 24.17(5) by failing to respond to the Department within 30 days to a request for

information; (2) The Respondent Raymond H. Chou violated Wis. Admin. Code § REEB 25.065(1) by failing to satisfy the continuing education requirement for the 2015/16 biennium; (3) The Respondent Target Solutions, LLC violated Wis. Admin. Code § REEB 15.04(1) by failing to supply transaction documents to the Department upon request for inspection; and (4) The Respondent Raymond H. Chou violated Wis. Stat. § 452.133(4m)(a) by failing to provide brokerages services honestly and fairly and with reasonable skill and care pursuant to Wis. Stat. § 452.133(1)(a) and (b).

The Division served Respondents with copies of a Notice of Hearing and Complaint on June 2, 2021, by both certified and regular mail, consistent with Wis. Admin. Code § SPS 2.08(1). Respondents failed to file an Answer to the Complaint, as required by Wis. Admin. Code § SPS 2.09(4). The Division of Hearings and Appeals assigned an administrative Law Judge (ALJ) to the matter and on June 30, 2021, a Notice of Telephone Prehearing Conference was issued instructing the Respondents to contact the ALJ to provide a telephone number where they could be reached for the July 29, 2021 telephonic prehearing. The Respondents did not contact the ALJ and the ALJ was unable to reach the Respondents for the prehearing conference.

The Division moved for default pursuant to Wis. Admin. Code § SPS 2.14 and Wis. Admin. Code § HA 1.07(3)(c). In light of Respondents' failure to file an Answer to the Complaint and failure to appear for the July 29, 2021 prehearing conference, the ALJ found Respondents to be in default and issued a Notice of Default and Order on July 29, 2021. Consistent with the Notice, the Division filed a recommended proposed decision and order. On August 31, 2021, the parties were advised that the Division of Hearings and Appeals had reassigned the matter to a new ALJ, Kristin Fredrick, who contacted the parties by e-mail and requested that the Respondents provide a written response to the Notice of Default and/or the Division's recommended proposed decision and order within ten days. The Respondents did not submit a response.

FINDINGS OF FACT

Facts Related to the Alleged Violations

Findings of Facts 1-38 are set forth in the Division's Complaint against Respondents filed in this matter.

1. Respondent Raymond H. Chou (Birth Year 1956) is licensed by the State of Wisconsin as a real estate broker, having license number 57629-90, first issued on June 6, 2014, and expired as of December 15, 2018, and as a real estate salesperson, having license number 75315-94, first issued on May 17, 2011, and expired as of December 15, 2014. Respondent Chou's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Niles, Illinois 60714.

2. Respondent Target Solutions, LLC is licensed by the State of Wisconsin as a real estate business entity, having license number 937566-91, first issued on July 2, 2014, and expired as of December 15, 2018. Respondent Target Solutions, LLC's most recent address on file with the Department is in Niles, Illinois 60714.

3. Respondent Chou is the owner and responsible licensee of Respondent Target Solutions, LLC.

4. On October 2, 2017, the Department received a complaint alleging that Complainant loaned money to Respondent Raymond H. Chou that he failed to repay. The Division of Legal Services and Compliance (DLSC) Case Number 17 REB 095 was subsequently opened for investigation.

5. On December 11, 2017, the Department mailed Respondent Chou a letter requesting a response to the complaint at his address of record with the Department. The Department did not receive a response.

6. On February 14, 2018, the Department mailed Respondent Chou a certified letter requesting a response to the complaint at his address of record with the Department. The Department did not receive a response.

7. On March 2, 2018, the Department spoke to Respondent Chou by phone and confirmed that the Department had Respondent Chou's correct address on file.

8. On March 2, 2018, the Department sent an email to Respondent Chou requesting a response to the complaint at his email address of record with the Department.

9. On March 12, 2018, Respondent's attorney requested an extension to respond to the complaint.

10. On April 13, 2018, Respondent's attorney provided a response and admitted that Respondent Chou took a loan from Complainant, but stated it was not in connection with real estate services.

11. On September 26, 2018, Respondent Chou informed the Department he was no longer represented by counsel for DLSC Case No. 17 REB 95.

12. On November 8, 2017, the Department received a complaint alleging that Respondent Chou failed to return \$5,000 in earnest money that was owed to Complainant. DLSC Case Number 17 REB 109 was subsequently opened for investigation.

13. On May 10, 2017, Respondent drafted an Offer to Purchase (OTP) for Complainant for a property located in Cudahy, Wisconsin. Respondent Chou represented the seller, Home Realty Solutions, and was the listing agent for the subject property. The OTP indicated that \$1,000 in earnest money was to be held in connection with this transaction. Complainant provided Respondent Chou a check for the earnest money in the amount of \$1,000 to Home Realty Solutions.

14. Home Realty Solutions is a company run by H.C., Respondent's spouse, with the same principal office address as Respondents.

15. On May 26, 2017, Complainant provided Respondent Chou a check in the amount of \$4,000 to Home Realty Solutions, after Respondent Chou indicated that a total of \$5,000 in earnest money was now required for the subject transaction.

16. On May 26, 2017, Complainant withdrew her application for a loan for the purchase of the subject property.

17. On June 7, 2017, Complainant withdrew her application for a second loan for the purchase of the subject property, decided to stop pursuing the subject property, and decided to stop working with Respondents.

18. On July 26, 2017, Complainant requested the return of the \$5,000 in earnest money, stating that the appraisal contingency of the OTP was not met. Complainant was informed by Respondent Chou that the seller (Respondent Chou's wife's company), refused to return the earnest money.

19. On September 9, 2017, Complainant again requested the return of the \$5,000 in earnest money.

20. On January 9, 2018, the Department mailed a letter to Respondent Chou requesting a response to the complaint at his address of record with the Department. The Department did not receive a response.

21. On March 2, 2018, the Department spoke to Respondent Chou by phone and confirmed that the Department had Respondent Chou's correct address on file.

22. On March 2, 2018, the Department mailed a letter by certified and regular mail to Respondent Chou requesting a response to the complaint at his address of record with the Department.

23. On April 3, 2018, Respondent Chou responded to the complaint through his attorney and provided several transaction documents but did not include a complete transaction file.

24. On September 26, 2018, Respondent Chou informed the Department he was no longer represented by counsel for DLSC Case No. 17 REB 109.

25. On June 11, 2019, the Department mailed a letter to Respondent Chou at his address of record with the Department. The letter requested an explanation for the missing earnest money, the missing contract forms indicating changes in closing dates and earnest money amounts, trust account information, and a loan commitment letter from Goldwater Bank. The Department did not receive a response.

26. Respondent has not returned any earnest money to Complainant.

27. On July 15, 2018, the Department received a complaint alleging that Respondent Chou failed to return \$3,000 in earnest money that was owed to Complainant. DLSC Case Number 18 REB 046 was subsequently opened for investigation.

28. On July 27, 2018, the Department mailed a certified letter to Respondent Chou, through his counsel on file with the Department, requesting a response to the complaint.

29. On August 28, 2018, Respondent Chou called the Department and stated that he was working on a response to the complaint, and that he would need an extension of time for his response.

30. On August 31, 2018, the Department granted Respondent Chou an extension until September 21, 2018, to respond to the complaint.

31. On September 26, 2018, Respondent Chou informed the Department he was no longer represented by counsel for DLSC Case No. 18 REB 046.

32. On October 5, 2018, Respondent Chou sent an email to the Department requesting another extension of time to respond to the complaint.

33. On October 11, 2018, the Department granted Respondent Chou an extension until November 1, 2018, to respond to the complaint.

34. Respondent has not returned any earnest money to Complainant.

35. The Department has not received a substantive response from Respondent Chou to its request for a response to the complaint.

36. On March 20, 2019, the Department reviewed Respondent Chou's submitted continuing education certificates and determined that none of the courses submitted were approved for continuing education for real estate salesperson or real estate broker licenses in Wisconsin.

37. Pursuant to Wis. Stat. § 440.08(3), Respondent Raymond H. Chou retains the right to renew his real estate broker license until December 14, 2023.

38. Pursuant to Wis. Stat. § 440.08(3), Respondent Target Solutions, LLC retains the right to renew its real estate business entity license until December 14, 2023.

Facts Related to Default

39. The Notice of Hearing and Complaint and in this matter were served on Respondents on June 2, 2021, by both certified and regular mail, consistent with Wis. Admin. Code § SPS 2.08(1). The Notice of Hearing informed Respondents: "If you do not provide a proper Answer within 20 days, you will be found to be in default and a default judgment may be entered against you on the basis of the Complaint and other evidence. In addition, the Board may take disciplinary action against you and impose the costs of the investigation, prosecution, and other costs pursuant to Wis. Admin. Code § SPS 2.18, without further notice or hearing."

40. Respondents did not file a written Answer as required by Wis. Admin. Code § SPS 2.09(4).

41. Following the expiration of the 20-day time period to file an Answer, the ALJ scheduled a telephone prehearing conference for July 29, 2021, at 9:00 a.m. Notice of this prehearing conference was sent to both parties, with instructions that Respondents provide the ALJ with a telephone number at which Respondents could be reached no later than July 28, 2021. The Notice advised: "[t]he Respondent's failure to appear at a scheduled conference or hearing may result in default judgment being entered against the Respondent."

42. Respondents failed to provide a telephone number at which Respondents could be reached for the prehearing conference.

43. At the prehearing conference held on July 29, 2021, the ALJ attempted to reach the Respondents at approximately 9:05 a.m. and 9:20 a.m. at their telephone number on file with the Division. The Respondents did not answer either telephone call, and the voicemail box would not accept any messages.

44. Based on Respondents' failure to file an Answer to the Complaint and failure to appear at the prehearing conference, the Division moved for default pursuant to Wis. Admin. Code § SPS 2.14 and Wis. Admin. Code § HA 1.07(3)(c).

45. On July 29, 2021, the ALJ issued a Notice of Default and Order finding that Respondents were in default and requiring the Division to file and serve, no later than August 26, 2021, a recommended proposed decision and order.

46. The Division timely filed its recommended proposed decision and order.

47. On August 31, 2021, the Division of Hearings and Appeals advised the parties via email that this matter had been reassigned to a new ALJ. In addition, the email acknowledged receipt of the Division's recommended proposed decision and requested that the Respondents provide a response within ten days.

48. The Respondents have not responded to the July 29, 2021 Notice of Default, the Division's August 24, 2021 recommended proposed decision, or the ALJ's August 31, 2021 email correspondence.

DISCUSSION AND CONCLUSIONS OF LAW

Default

As stated in the July 29, 2021 Notice of Default and Order, Respondents are in default for failing to file an answer and failure to appear at the July 29, 2021 prehearing conference. *See* Wis. Admin. Code § SPS 2.09(4), § SPS 2.14; Wis. Admin. Code § HA 1.07(3). Further, allegations in a complaint are deemed admitted when not denied. Wis. Admin. Code § SPS 2.09(3). Accordingly, an order may be entered against Respondents on the basis of the Complaint and other evidence. *See* Wis. Admin. Code § SPS 2.14; Wis. Admin. Code § HA 1.07(3).

Violations

The Wisconsin Real Estate Examining Board (Board) possesses the authority to impose discipline upon licensees under Wis. Stat. § 452.14(3)(h), (L), and (4), as follows:

(3) The board may revoke, suspend, or limit the license of any licensee, or reprimand the licensee, if it finds that the licensee has done any of the following: (h) Failed, within a reasonable time, to account for or remit any moneys coming into the licensee's possession which belong to another person.; (L) Violated any provision of this chapter or any rule promulgated under this chapter;

(4) If a firm is a business entity it shall be sufficient cause for reprimand or for the limitation, suspension, or revocation of the firm's license that any business representative of the firm, or anyone who has a financial interest in or is in any way connected with the operation of the firm's brokerage business, has been guilty of any act or omission that would be cause for refusing a broker's license to such person as an individual.

In the present matter, the Division alleges that the Respondents violated Wisconsin statute and administrative rules governing real estate licensees as follows: (1) by failing to respond to the Department within 30 days to a request for information contrary to Wis. Admin. Code § REEB 24.17(5); (2) by failing to satisfy the continuing education requirement for the 2015/16 biennium contrary to Wis. Admin. Code § REEB 25.065(1); (3) by failing to supply transaction documents to the Department upon request for inspection contrary to Wis. Admin. Code § REEB 15.04(1); and (4) by failing to provide brokerages services honestly and fairly and with reasonable skill and care contrary to Wis. Stat. § 452.133(1)(a) and (b) and (4m)(a).

Wisconsin Admin. Code § REEB 24.17(5) states that "[l]icensees and applicants shall respond to the department and the board regarding any request for information within 30 days of the date of the request." Under Wis. Admin. Code § REEB 25.065(1), "each licensed broker and salesperson shall satisfy the continuing education requirement specified in s. 452.12(5)(c), Stats., during each licensing biennium." Wis. Stat. § 452.12(5)(c) requires each broker or salesperson to submit proof of attendance and successful completion of the required continuing education at the time of the broker/salesperson's renewal. Under Wis. Stat. § 452.133(1)(a) and (b), a brokerage firm owes a duty to provide services to a party honestly and fairly and with reasonable skill and care. These same duties are extended to a licensee of the firm pursuant to Wis. Stat. § 452.133(4m)(a). Finally, under Wis. Admin. Code § REEB 15.04, retention of records, a firm has the following obligations:

A firm shall retain for at least 2 years, unless required by federal law or there is an active or ongoing investigation by the Board, exact and complete copies of all listing contracts, agency agreements, offers to purchase, leases, closing statements, deposit receipts, cancelled checks, trust account records and other documents or correspondence utilized, received or prepared in connection with any transaction. The retention period shall run from the date of closing of the transaction or, if the transaction has not been consummated, from the date the listing contract or the agency agreement is terminated. These records shall be available for inspection and copying by the board. The firm shall, upon request of the board, promptly send exact and complete copies to the department without charge to the department or board. The board may not require copies to be submitted beyond the retention period. Electronic or digital means may be used to retain records.

Wis. Admin. Code § REEB 15.04(1).

The undisputed facts establish that the Department received multiple complaints against Respondents. The Department made multiple attempts to contact Respondents for information regarding the complaints and alleged conduct related to three different real estate transactions. The Department sent requests for information via U.S. mail on December 11, 2017, January 9, 2018,

February 14, 2018, July 27, 2018, and June 11, 2019. The Respondents did not provide a substantive response to any of these requests for information within 30 days of the requests. Respondent Chou responded to the complaint through his attorney on April 3, 2018, and provided several transaction documents but did not include a complete transaction file for the transaction at issue in DLSC Case No. 17 REB 109. On June 11, 2019, the Department mailed a letter to Respondent Chou to request the missing transaction documents. The Department did not receive a response. Therefore, Respondents violated both Wis. Admin. Code § REEB 24.17(5) and § REEB 15.04(1). In addition, on March 20, 2019, the Department reviewed Respondent Chou's submitted continuing education certificates for the 2015-2016 biennium and determined that none of the courses submitted were approved for continuing education for real estate broker licensees in Wisconsin. Therefore, Respondent Chou violated Wis. Admin. Code § REEB 25.065(1).

As alleged in the Complaint, the Respondents repeatedly failed to return funds to which they were not entitled. For example, in DLSC Case No. 17 REB 095, Respondents took loans to cover real estate purchases that Respondents never repaid after sale of the property. Respondent failed to return earnest moneys without explanation to the Department investigator, and even after inquiry from the Department investigators Respondents failed to return earnest money to either complainant in DLSC Case Nos. 17 REB 109 or 18 REB 046. Such behavior shows an utter disregard for the duty to provide brokerage services honestly and fairly or with reasonable skill and care. Further, Respondents' inability to produce a full transaction file for any of the three transactions shows they did not handle these transactions with reasonable skill and care. Therefore, Respondents violated Wis. Stat. § 452.133(1)(a) and (b).

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

Appropriate Discipline

The three purposes of discipline are: (1) to promote the rehabilitation of the credential holder; (2) to protect the public from other instances of misconduct; and (3) to deter other credential holders from engaging in similar conduct. *State v. Aldrich*, 71 Wis. 2d 206, 237 N.W.2d 689 (1976).

The Division requests revocation of the Respondents' right to renew their respective real estate broker credential and the firm's real estate business entity license. Given that the Respondents have made no arguments to the contrary and because the recommended discipline is consistent with the purposes articulated in *Aldrich* and case law, I adopt the Division's recommendation.

"Protection of the public is the purpose of requiring a license." *State ex rel. Green v. Clark*, 235 Wis. 628, 631, 294 N.W. 25 (1940). When a license is granted to an individual, Wisconsin is assuring the public that the licensed individual is competent in his or her profession. *Stringez v. Dep't of Regulation & Licensing Dentistry Examining Bd.*, 103 Wis. 2d 281, 287, 307 N.W.2d 664 (1981). It follows that if the state cannot assure the public of the licensee's competence to practice the profession, then revocation is appropriate. *Gilbert v. State Medical Examining Bd.*, 119 Wis. 2d 168, 189–90, 349 N.W.2d 68 (1984). In the present case, the State is unable to assure the public that Respondent Chou is competent in his profession if he does not cooperate or provide requested information.

Even though Respondents' credentials are currently expired, it is appropriate and necessary to impose discipline. Wisconsin Stat. § 440.08(3)(a) allows the holder of a credential to restore the credential even after the expiration by simply paying the application renewal fee and a late renewal penalty of \$25. Under subparagraph (b), the Department is empowered with the ability to promulgate rules requiring credential holders who have failed to renew the credential for five years to complete additional requirements to restore their licenses. *See* Wis. Stat. § 440.08(3)(b). Read together, these provisions have been reasonably interpreted by the Department to mean that credential holders retain a right to automatically renew their credentials within five years of expiration by simply paying the required fees. Respondents would therefore have an automatic right to renew these licenses until December 14, 2023, just by paying the required fees. Regardless, the justification for imposing discipline still exists. *See In the Matter of the Disciplinary Proceedings Against Todd Edmonds*, LS-0002317 (Feb. 26, 2013), *citing In the Matter of Disciplinary Proceedings Against Paul S. George, Dean K. George, and George Auction Services*, LS-9804151-AUC (Nov. 18, 1999).

Licensed real estate professionals and real estate business entities are entrusted to protect personal information and personal property and hold large amounts of money. With this considerable authority comes an equal degree of responsibility. Inconsistent with the duties and responsibilities associated with their licensure, the Respondents have had three separate complaints filed against them regarding their failure to return funds and Respondents further failed to cooperate with the Department's investigations, failed to satisfy continuing education requirements, and failed to supply transaction documents to the Department when requested. This behavior demonstrates Respondents' lack of respect for the law, public safety, and the licensing authority governing the profession.

Respondents have been uncooperative throughout the Department's investigation and in this proceeding. Further, when requested to prove compliance with continuing education Respondent Chou could not account for any of the required hours. Thus, the Board cannot assure the public of Respondents' competency or fitness to practice real estate in the state of Wisconsin. Therefore, revocation of Respondents' right to renew their credentials is the necessary and appropriate response to the noted violations to protect the public from any further misconduct.

Promoting rehabilitation is one of the purposes of discipline; however, rehabilitation is unlikely here. Because Respondents will not submit to the Board's authority, it is contrary to public safety for Respondents to continue to hold credentials. Notably, Respondents have failed to present any mitigating factors as to why they should be trusted to practice real estate or that rehabilitation would be possible. Revocation of Respondents' credentials would coincide with the strong precedent that the requirements of licensure are to be taken seriously and that cooperation with licensing proceedings by the Board is required in all instances. *See, e.g. In the Matter of Disciplinary Proceedings Against Mike Mendez*, Order No. 0004882 (Aug. 18, 2016).

In light of the facts of this case and the factors set forth in *Aldrich*, revocation of Respondents' right to renew their real estate credentials is warranted.

Costs

The Division requests that the Respondents be ordered to pay the full costs of their investigation and these proceedings. The Board is vested with discretion concerning whether to assess all or part of the costs of this proceeding against Respondents. *See* Wis. Stat. § 440.22(2). Section 440.22(2) of the Wisconsin Statutes reads in part:

In any disciplinary proceeding against a holder of a credential in which the department or examining board, affiliated credentialing board or board in the department orders suspension, limitation or revocation of the credential or reprimands the holder, the department, examining board, affiliated credentialing board or board may, in addition to imposing discipline, assess all or part of the costs of the proceeding against the holder...

The above statute does not require any particular analysis when determining whether to assess all or part of the costs in a proceeding against the Respondents. However, in exercising such discretion, the Board must look at aggravating and mitigating facts of the case; it may not assess costs against a licensee based solely on a “rigid rule or invocation of an omnipresent policy,” such as preventing those costs from being passed on to others. *Noesen v. State Department of Regulation & Licensing, Pharmacy Examining Board*, 2008 WI App 52, ¶¶ 30-32, 311 Wis. 2d 237, 751 N.W.2d 385.

The Board has also, in previous orders, considered the following factors when determining if all or part of the costs should be assessed against the Respondent: 1) the number of counts charged, contested and proven; 2) the nature and seriousness of the misconduct; 3) the level of discipline sought by the prosecutor; 4) the Respondent’s cooperation with the disciplinary process; 5) prior discipline, if any; 6) the fact that the Department is a “program revenue” agency, whose operating costs are funded by the revenue received from licenses, and the fairness of imposing the costs of disciplining a few members of the profession on the vast majority of the licensees who have not engaged in misconduct; and 7) any other relevant circumstances. *See In the Matter of Disciplinary Proceedings Against Elizabeth Buenzli-Fritz*, (LS0802183 CHI) (Aug. 14, 2008). It is within the Board’s discretion as to which, if any, of these factors to consider, whether other factors should be considered, and how much weight to give any factors considered.

The following facts are relevant to the instant case: First, the allegations raised in the Division’s complaint were undisputed based upon the Respondents’ failure to answer and therefore, the Division has proven every count it alleged. This is not a case where the Division wasted resources or incurred additional costs by alleging multiple counts and then failing to prove those counts. Second, Respondents’ conduct and violations are serious. Respondents failed to cooperate with the Department’s investigation, failed to satisfy continuing education requirements, failed to supply transaction documents to the Department, and failed to provide brokerage services honestly and fairly and with reasonable skill and care. Third, the Division seeks a revocation of the Respondents’ right to renew their credentials, which reflects a need to protect the public from further malfeasance by the Respondents. Fourth, the Respondents not only failed to provide requested documents, but they failed to answer the Complaint or appear in these proceedings, thus demonstrating a lack of cooperation. Finally, the Department is a program revenue agency whose operating costs are funded by the revenue received from credential holders. As such, fairness

weighs heavily in favor of requiring Respondents to pay the costs of this proceeding rather than spreading the costs among all licensees in Wisconsin.

Based upon the above, I therefore find that all of the costs of this proceeding shall be assessed against Respondents and that the amount of costs be determined pursuant to Wis. Admin. Code § SPS 2.18.

ORDER

Accordingly, it is hereby ORDERED that the right to renew Respondent Raymond H. Chou's real estate broker credential (number 57629-90) and Respondent Target Solutions, LLC's real estate business entity license (number 937566-91) are REVOKED, effective on the date the Final Decision and Order is signed by the Board.

IT IS FURTHER ORDERED that should Respondents ever apply for any credential with the Board in the future, Respondents shall pay all recoverable costs in this matter in an amount to be established, pursuant to Wis. Admin. Code § SPS 2.18, prior to the Board's consideration of any such application.

Dated at Madison, Wisconsin on October 4, 2021.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
4822 Madison Yards Way, 5th Floor North
Madison, Wisconsin 53705-5400
Tel. (608) 266-2447
Fax: (608) 264-9885
Email: Kristin.Fredrick@wisconsin.gov

By: 

Kristin P. Fredrick
Administrative Law Judge