

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MICHAEL J. COKE AND TERRA FIRMA  
REALTY, INC.,  
RESPONDENTS.

FINAL DECISION AND ORDER

**ORDER 0007817**

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Division of Legal Services and Compliance Case No. 19 REB 093

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

Michael J. Coke  
DeForest, WI 53532

Terra Firma Realty, Inc.  
DeForest, WI 53532

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 Michael J. Coke (Birth Year 1973) is licensed by the State of Wisconsin as a Real Estate Broker, having license number 53380-90, first issued on December 20, 2005 and current through December 14, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in DeForest, Wisconsin.

2. Respondent Terra Firma Realty, Inc. is licensed by the State of Wisconsin as a Real Estate Business Entity, having license number 936638-91, first issued on January 6, 2010 and current through December 14, 2022. Michael J. Coke is identified in Department records as the responsible licensee of Terra Firma Realty, Inc.

3. On September 3, 2019, the Department received a complaint that Respondents were providing incorrect and misleading information in their listings. The Division of Legal Services and Compliance (DLSC) opened case number 19 REB 093 to investigate.

4. According to the complaint, Respondents listed for sale a vacant lot located at 633 17<sup>th</sup> Avenue, Nekoosa, Wisconsin 54457. However, Respondents incorrectly listed the property as being in Arkdale, Wisconsin 54613.

5. On September 25, 2019, the Department requested Respondents provide a response to the complaint and provide the complete transaction file for 633 17<sup>th</sup> Avenue.

6. On October 3, 2019, Respondent Coke responded to the Department's request but did not include the requested transaction documents.

7. In his response, Respondent Coke admitted that the zip code provided for 633 17<sup>th</sup> Avenue was incorrect in the listing and stated that they corrected it once it was pointed out.

8. On October 14, 2019, the Department contacted Respondents and again requested Respondents provide the transaction file for 633 17<sup>th</sup> Avenue. No response was received.

9. On February 25, 2021, the Department emailed Respondent Coke at his email address of record with the Department and asked him to provide additional information, as well as the transaction file for 633 17<sup>th</sup> Avenue. No response was received.

10. On May 28, 2021, the Department emailed Respondent Coke at his email address of record with the Department and again requested the transaction file for 633 17<sup>th</sup> Avenue. No response was received.

11. On June 8, 2021, an investigator from the Department called Respondent Coke at his telephone number of record with the Department and left a voicemail asking for Respondent to return the call.

12. On June 16, 2021, the Department investigator received a phone call from a woman who stated she was Respondent Coke's assistant. She told the investigator that she would have Respondent Coke return the call. No return call was received.

13. On June 24, 2021, the Department mailed a certified letter to Respondent Coke at his mailing address of record with the Department, asking for a complete copy of the transaction file for 633 17<sup>th</sup> Avenue.

14. On July 9, 2021, the Department received notification that a person, later identified as Respondent's wife, had signed for the certified mail on July 6, 2021. No additional response was received.

15. On July 16, 2021, the Department investigator called Respondent Coke at his telephone number of record with the Department and left a voicemail asking for Respondent Coke to return the call.

16. On July 19, 2021, Respondent Coke called the investigator. Respondent Coke stated that the emails sent by the Department had gone to his spam folder. He told the investigator that he would provide the requested documentation by the end of the day.

17. On July 20, 2021, Respondent Coke emailed the transaction file to the Department.

18. On December 2, 2021, Respondent Coke sent a letter to the Department and stated the reason he did not respond sooner to the Department's requests for documents was that his assistant, wife, and son did not give him his mail. Further, he stated that voicemail messages were not given to him. He said that he has discussed this with his assistant, wife, and son so that this does not happen again.

19. In resolution of this matter, Respondent consents 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. Stat. § 452.133(1)(b), pursuant to § 452.133(4m)(a), by failing to provide brokerage services with reasonable skill and care.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § REEB 24.17(5) by failing to respond to the department and the board regarding a request for information within 30 days of the date of the request.

4. 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 Michael J. Coke is REPRIMANDED.

3. Respondent Terra Firma Realty, Inc. is REPRIMANDED.

4. Within 90 days of the date of this Order, Respondent Michael J. Coke (license no. 53380-90) shall pay one-half the COSTS of this matter in the amount of \$540.

5. Within 90 days of the date of this Order, Respondent Terra Firma Realty, Inc. (license no. 936638-91) shall pay one-half the COSTS of this matter in the amount of \$540.

6. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent to the Department Monitor at the address below:

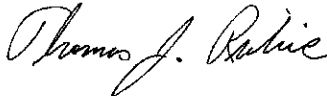
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

This information may also be submitted online at: <https://dpsmonitoring.wi.gov/>

7. In the event Respondents violate any term of this Order, Respondents' licenses (nos. 53380-90 and 936638-91), 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

3 February 2022

Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MICHAEL J. COKE AND  
TERRA FIRMA REALTY, INC.,  
RESPONDENTS.

STIPULATION

**ORDER 00078 17**

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Division of Legal Services and Compliance Case No. 19 REB 093

Respondents Michael J. Coke and Terra Firma Realty, Inc. and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

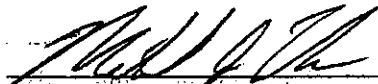
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.
2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive 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.

  
\_\_\_\_\_  
Michael J. Coke, Respondent  
DeForest, WI 53532  
Credential No. 53380-90

1-28-22  
Date

  
\_\_\_\_\_  
Terra Firma Realty, Inc., Respondent  
By: Michael J. Coke, Responsible Licensee  
DeForest, WI 53532  
Credential No. 936638-91

1-28-22  
Date

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

01/31/2022  
Date