

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
CHRISTOPHER D. MENEGHINI, :
RESPONDENT. :

ORDER 0007929

Division of Legal Services and Compliance Case No. 20 REB 113

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

Christopher D. Meneghini
Green Bay, WI 54311

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 Christopher D. Meneghini (Birth Year 1968) is licensed by the State of Wisconsin as a real estate salesperson, having license number 74907-94, first issued on December 27, 2010 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 Green Bay, Wisconsin 54311.

2. On November 24, 2020, the Department received a complaint from Respondent's former firm alleging that Respondent improperly received commissions directly from title companies, failed to submit contract documents for review, and purported to be acting as an agent of a firm while conducting sales independently. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 20 REB 113 for investigation.

3. Respondent's firm discovered issues with three specific transactions, which occurred on Old School Place in Greenleaf, Wisconsin (Old School Place transaction), Western

Avenue in Green Bay, Wisconsin (Western Avenue transaction), and 5th Street in Green Bay, Wisconsin (5th Street transaction).

4. On October 1, 2020, Respondent's firm terminated Respondent's employment.
5. On November 9, 2017, the Old School Place transaction closed. A Department review of this transaction revealed the following:
 - a. Respondent was directly issued \$4,075 in commission by the title company.
 - b. Respondent did not submit any of the transaction documents to his supervising broker for review.
 - c. Respondent's firm did not possess signed copies of many of the transaction documents, including the Residential Offer to Purchase, the RANW Addendum A to the Offer to Purchase, the Buyer Agency/Tenant Representation Agreement, the Affiliated Business Arrangement Disclosure Statement (Buyer), the Information for Consumers about Transaction Timing and Closings document, the Addendum TR to the Offer to Purchase - Timelines and Closing, the Consent for Use of Electronic Documents and Signatures document, and the Seller's Estimated Costs document.
 - d. The transaction documents indicate that Respondent was representing himself as an agent of Respondent's firm.
 - e. No Disclosure of Agency form was on file for this transaction.
 - f. On January 20, 2021, Respondent stated that he does not have any documentation to provide regarding this transaction.
 - g. On September 1, 2021, Respondent stated that he directed the title company to pay him directly for this transaction and stated that this was a For Sale by Owner transaction.
6. On December 2, 2019, the Western Avenue transaction closed. A Department review of this transaction revealed the following:
 - a. Respondent was directly issued \$2,500 in commission by the title company.
 - b. Respondent did not submit any of the transaction documents to his supervising broker for review.
 - c. Respondent's firm did not possess signed copies of any of the transaction documents.

- d. On January 20, 2021, Respondent provided the Department with signed copies of some of the transaction documents, but many were unsigned, including the Residential Offer to Purchase, the RANW Addendum A to the Offer to Purchase, the Buyer Agency/Tenant Representation Agreement, the Affiliated Business Arrangement Disclosure Statement (Buyer), the Information for Consumers about Transaction Timing and Closings document, the Addendum TR to the Offer to Purchase - Timelines and Closing, the Consent for Use of Electronic Documents and Signatures document, and the Disclosure Form (Buyer).
- e. The transaction documents indicate that Respondent was representing himself as an agent of Respondent's firm.
- f. On September 1, 2021, Respondent stated that the selling/listing agent directed the title company to pay Respondent directly, which Respondent agreed to.

7. On April 27, 2020, the 5th Street transaction closed. A Department review of this transaction revealed the following:

- a. Respondent was directly issued \$3,500 in commission by the title company.
- b. Respondent did not submit any of the transaction documents to his supervising broker for review.
- c. Respondent's firm did not possess signed copies of many of the transaction documents, including the Residential Offer to Purchase, the RANW Addendum A to the Offer to Purchase, the Affiliated Business Arrangement Disclosure Statement (Buyer), the Information for Consumers about Transaction Timing and Closings document, the Addendum TR to the Offer to Purchase - Timelines and Closing, the Consent for Use of Electronic Documents and Signatures document, and the Disclosure Form (Buyer).
- d. On January 20, 2021, Respondent provided the Department with some of the signed copies of the transaction documents.
- e. The transaction documents indicate that Respondent was representing himself as an agent of Respondent's firm.
- f. The Offer to Purchase indicated that Respondent was a Buyer's Agent, but no Buyer Agency Agreement form could be located for the transaction.
- g. On September 1, 2021, Respondent stated that the selling/listing agent directed the title company to pay Respondent directly, which Respondent agreed to.

8. On January 20, 2021, Respondent admitted to entering transaction documents into his firm's system without submitting them for review.

9. 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, Respondent violated Wis. Stat. § 452.132(6)(b) by failing to submit to Respondent's firm in a timely manner all agency agreements, offers to purchase, leases, and other documents that are executed by the parties and records related to the brokerage services provided on behalf of the firm and transactions that are used or received by the licensee.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 452.19(2) by failing to pay to Respondent's firm all required fees or commissions.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.05(1)(a) by, while acting as an agent in a real estate transaction, accepting a fee or compensation related to the transaction from someone other than Respondent's client, principal firm, or the firm he was associated with without prior written consent from all parties to the transaction.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(f), (g), (h), (i), (L), and (4m)(a).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Christopher D. Meneghini's real estate salesperson license (no. 74907-94) is hereby **SUSPENDED** for ten (10) business days, beginning ten (10) calendar days from the date of this Order.

3. Respondent Christopher D. Meneghini's real estate salesperson license (number 74907-94) is **LIMITED** as follows:

- a. Following the completion of the suspension period, Respondent may only resume practice as a real estate salesperson in the state of Wisconsin under the supervision of a Wisconsin licensed real estate broker preapproved by the Board or its designee (supervising broker).
- b. Respondent shall notify his approved supervising broker of his disciplinary history with the Board and shall provide a copy of this Order to his supervising broker prior to commencement of the supervision.

Respondent shall furnish the Department Monitor with written acknowledgement from his supervising broker that a copy of this Order was provided prior to resuming practice.

- c. Beginning three months from the date Respondent resumes practice, and every three months thereafter, Respondent shall arrange for written reports from his supervising broker to be provided to the Department Monitor. These reports shall assess Respondent's work performance during the previous quarter, and describe the circumstances of his employment, including the nature and extent of Respondent's sales activities and whether he has practiced in compliance with all laws governing the practice of real estate.
- d. Respondent shall report to the Department Monitor any change of employment status, residence, address or telephone number within five days of the date of a change.
- e. After one year of practice in compliance with all terms and conditions of this Order, Respondent may petition the Board for the modification or termination of the above limitations. The Board may grant or deny the petition, in its discretion, or may modify this Order as it sees fit. A denial of such a petition for modification or termination shall not be deemed a denial of license under Wis. Stat. §§ 227.01(3) or 227.42, or Wis. Admin. Code Ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

4. Within ninety (90) days from the date of this Order, Respondent Christopher D. Meneghini shall pay a FORFEITURE in the amount of \$1,000 and the COSTS of this matter in the amount of \$1,238, for a total of \$2,238.

5. Reports, requests for approval of supervising broker, payment of forfeiture and costs (made payable to the Wisconsin Department of Safety and Professional Services), and any other information required by this Order shall be sent by Respondent 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

Respondent may also submit this information online System at: <https://dpsmonitoring.wi.gov/>

6. In the event Respondent violates any term of this Order, Respondent's license (number 74907-94), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has

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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: Thomas J. Rubin
A Member of the Board

4/14/2022
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CHRISTOPHER D. MENEGHINI,
RESPONDENT.

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:
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:
:

STIPULATION

ORDER 0007929

Division of Legal Services and Compliance Case No. 20 REB 113

Respondent Christopher D. Meneghini 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. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, 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 Respondent;
- the right to call witnesses on Respondent’s behalf and to compel their attendance by subpoena;
- the right to testify on Respondent’s 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 Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent’s right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees 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. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

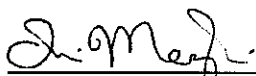
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is

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.

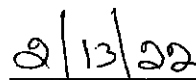
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes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



Christopher D. Meneghini, Respondent
Green Bay, WI 54311
Credential No. 74907-94



Date



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

2/24/2022

Date