

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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/wscca>

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KEVIN LUCHT

RESPONDENT.

NOTICE OF REVOCATION

ORDER 0008676

Case # 21 COM 80

TO: KEVIN LUCHT
5910 South Howell Ave
Milwaukee WI 53207

You are hereby notified that your dwelling contractor qualifier certificate (DCQ-122001386) is hereby revoked as allowed by Wis. Admin. Code § SPS 305.10(1) and Wis. Stat. § 440.20(5).

The basis for this revocation is as follows:

1. Wis. Admin. Code § SPS 305.10(1)(a)5: Revocation for engaging in misconduct.

The Department received a complaint that you were hired to perform a home remodeling project at 7651 South Clement Avenue, Oak Creek Wisconsin, 53124. The project was quoted at \$40,000 and you received approximately \$19,125 paid in installments of \$6,125, \$3,000, and \$10,000. For that payment you performed roughly one day of work. You did not return any of the funds nor perform any more work. This is a misuse of funds and conduct which evidences a lack of trustworthiness. This is considered misconduct as defined by Wis. Admin. Code § SPS 305.003(43).

2. Wis. Admin. Code § SPS 305.10(1)(a)6: Revocation for being charged for a crime substantially related to your certificate.

The Department has notice that you were charged with one count of Theft by Contractor, Wis. Stat. § 779.02(5), in Milwaukee County Case No. 2021CF3165 *State of Wisconsin v. Kevin W Lucht*. The Department has reviewed the criminal complaint filed and found that it relates to the same complaint the Department received concerning your work at 7651 South Clement Avenue. This charge substantially relates to work you are qualified to do as allowed by your certificate.

3. Wis. Admin. Code § SPS 305.10(1)(a)8: Revocation for violating local laws or regulations relating to the conduct of the activities under the certificate.

The Department's investigation found that you failed to follow local laws/regulations/ordinances when you failed to obtain a permit for the work performed. The City of Oak Creek required a

permit for the work you were hired to perform and you began the work before obtaining the proper permit.

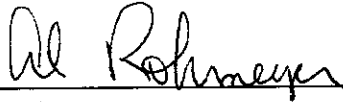
4. Wis. Stat. § 440.20(5)(a) via Wis. Stat. § 101.022: Revocation for failing to satisfactorily respond to the Department.

The Department emailed you on May 25, 2022, requesting a response to the complaint. You replied on May 26, 2022. The Department followed up on May 27, 2022 and you communicated that you would contact the Department by the end of the day. The Department sent a follow-up email on June 17 and also attempted to contact you via phone. No response was received. The Department finds that you have failed to satisfactorily communicate with the Department concerning this complaint and therefore is entering discipline as allowed by Wis. Stat. § 440.20(5)(a).

Based on the foregoing, the Department has authority under Wis. Admin. Code § SPS 305.10(1)(a)5, 6 & 8 and Wis. Stat. § 440.20(5)(a) to revoke your certificate for these actions.

You have the right to request a hearing on the revocation by sending a request for hearing to the Department of Safety and Professional Services, Chief Legal Counsel, P.O. Box 7190, Madison, Wisconsin 53707-7190, which must be received by the Department no later than 30 days from the date of mailing of this Notice. The request for a hearing on the revocation shall set out specifically and in full detail every reason why this order is unreasonable, and every issue to be considered by the department on the hearing. Anything not addressed in the request shall be deemed waived. Any hearing on the revocation will be held in accordance with the requirements set forth in Wis. Stat. ch. 227.

Dated at Madison, Wisconsin on August 5, 2022.

A handwritten signature in cursive script, appearing to read "Al Rohmeyer", is written over a horizontal line.

Al Rohmeyer
Chief Legal Counsel,
Department of Safety and Professional Services