

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
DAWN M. MILLER, :
RESPONDENT. : **ORDER 000813U**

Division of Legal Services and Compliance Case No. 21 REB 089

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

Dawn M. Miller
Little Chute, WI 54140

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 Dawn M. Miller (Birth Year 1988) is licensed by the State of Wisconsin as a real estate salesperson, having license number 87750-94, first issued on December 11, 2018 and expired as of December 15, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Little Chute, Wisconsin 54140.

2. On December 30, 2020, Respondent submitted a renewal application to the Department, which stated that she had been convicted of a felony. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 21 REB 089 for investigation.

3. According to the criminal complaint, on September 1, 2017, Respondent was hired by a company as an administrative assistant. Upon hiring, Respondent was issued a company credit card.

4. According to the criminal complaint, on May 25, 2018, Respondent resigned from her position. After Respondent left, the company discovered that Respondent had utilized the company's credit card to make over \$15,000 in personal charges.

5. On November 13, 2020, Respondent was convicted of Felony Identify Theft-Obtain Money or Credit in Outagamie County Circuit Court Case Number 19CF0214. Respondent was placed on probation for three years and ordered to pay \$15,157.89 in restitution.

6. On December 30, 2020, Respondent reported her conviction to the Department.

7. 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. Admin. Code § REEB 24.17(1) by violating any law, the circumstances of which substantially relate to the practices of a real estate licensee, and failing to send to the Board within 48 hours after the judgment of conviction information which describes the nature of the crime.

3. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to apply for renewal of her license upon payment of a fee until December 14, 2025.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(k) and (L) and Wis. Admin. Code § REEB 24.17(2).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of Respondent Dawn M. Miller's right to renew her real estate salesperson's license (no. 87750-94) is ACCEPTED.

3. Respondent may petition the Board or its designee for reinstatement of her real estate salesperson's license after 2 years. Any such petition shall include:

a. Payment of COSTS of this matter in the amount of \$365.

b. Proof of Respondent's current competency to practice as a Wisconsin real estate salesperson as evidenced by successful completion of all continuing education courses for the biennium immediately preceding the biennium reinstatement is sought.

4. The Board may grant or deny the petition(s), in its discretion, or may determine under what terms and conditions any petition may be granted and such licensure may be

reinstated. A denial of such petition(s) shall not be deemed a denial of a license under Wis. Stat. § 227.42, or Wis. Admin. Code ch. SPS 1, and shall not be subject to any right to further hearing or appeal.

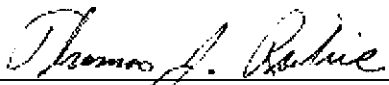
5. Any submission to the Board and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent to the Department Monitor at the address below:

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 via DSPS' Monitoring Case Management System at: <https://dspsmonitoring.wi.gov/>

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: 
A Member of the Board

8/18/2022
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DAWN M. MILLER,
RESPONDENT.

:
:
:
:
:

STIPULATION

ORDER 0008130

Division of Legal Services and Compliance Case No. 21 REB 089

Respondent Dawn M. Miller 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.

DocuSigned by:

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Dawn M. Miller, Respondent
Little Chute, WI 54140
Credential No. 87750-94

7/25/2022 | 11:27 AM CDT

Date



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

07/26/2022

Date