

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

RONALD T. WELNETZ,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:

ORDER 0008131

Division of Legal Services and Compliance Case No. 21 REB 042

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

Ronald T. Welnetz
Antigo, WI 54409

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 Ronald T. Welnetz (Birth Year 1956) is licensed by the State of Wisconsin as a real estate broker, having license number 49007-90, first issued on June 9, 1997 and current through December 14, 2022. Respondent Welnetz's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Antigo, Wisconsin 54409.

2. On August 19, 2021, the Division of Legal Services and Compliance (DLSC) opened Case Number 21 REB 042 for investigation of Respondent's actions during a recent real estate transaction.

3. In March 2021, Respondent represented a seller for the sale of a property in Langlade County, Wisconsin.

4. On March 10, 2021, a buyer made an offer of \$240,000 to purchase the property. The offer to purchase included an appraisal contingency. The seller countered the same day at \$245,000 and with an increase in the earnest money, and the buyer accepted on March 11, 2021.

5. On April 19, 2021, the buyer's agent drafted an amendment concerning early occupancy and closing and sent it to Respondent. Neither Respondent nor the seller signed this amendment to indicate it was presented.

6. On April 29, 2021, the real estate appraiser submitted his report and placed the value of the property at \$230,000.

7. On April 29, 2021, the buyer's agent sent Respondent a copy of the appraisal report along with an amendment to the offer to purchase, reducing the purchase price from \$245,000 to the appraised value of \$230,000. Neither Respondent nor the seller signed this amendment to indicate it was presented.

8. Between April 29 and May 2, 2021, Respondent sent several emails to the appraiser regarding the appraisal.

9. On April 29, 2021, Respondent wrote to the appraiser, "Where the heck did you come up with a value of \$230K with almost 400 feet of frontage. I thought you wanted a list of improvements also. The lot is worth \$100K minimum. Maybe get to know the area you are appraising in."

10. On April 30, 2021, Respondent wrote to the appraiser, "HELLO, please adjust frontage values ASAP."

11. On May 1, 2021, Respondent wrote the appraiser, "I also see you have the subject as a one bedroom and one bath, the lower room is a bedroom and did you not see the other full bath?? That is another adjustment of \$5,000.00 minimum as well. Please correct as the seller might lose this buyer."

12. Later on May 1, 2021, Respondent wrote to the appraiser, "The seller will be calling you as well and said he will sue you if necessary for potential negligence."

13. On May 2, 2021, Respondent wrote to the appraiser, "Apparently you don't care about how you do appraisals, please go back and redo your continuing ed and also please do [no]t take anymore jobs out of your market area."

14. On May 2, 2021, Respondent contacted the buyer's agent and told her the seller would agree to the lower purchase price if the buyer also removed the buyer's closing credit. The buyer's agent agreed and prepared a new amendment. All parties signed the amendment on May 2, 2021.

15. On May 12, 2021, the day before closing had been scheduled, the lender contacted the buyer and stated they were going to schedule a new appraisal. In a May 24, 2021 email, the lender explained that they had requested some revisions to the appraiser's report, but the appraiser felt that because of the communications from Respondent, he was unable to complete his report.

16. After a new appraisal and negotiations directly between the buyer and seller, the parties agreed to a purchase price of \$235,000 and the transaction closed on June 10, 2021.

17. On October 4, 2021, a Department investigator spoke with the appraiser, who stated that before preparing the inspection report, he tried three times to have Respondent provide information on recent improvements done by the seller. Respondent told the appraiser that he did not know, and that the appraiser should contact the seller.

18. The appraiser also stated on October 4, 2021, that in addition to the emails referenced above, Respondent also called and sent a text message. When he spoke with Respondent, the appraiser explained that the proper way to appeal an appraisal is by contacting the lender, but Respondent continued to email him.

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, Respondent violated Wis. Stat. § 452.133(1)(b) by failing to provide brokerage services with reasonable skill and care, pursuant to Wis. Stat. § 452.133(4m)(a).

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.03(2)(b) by failing to act to protect the public against fraud, misrepresentation and unethical practices.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(L).

ORDER

1. The attached Stipulation is accepted.

2. The real estate broker's license of Ronald T. Welnetz (license no. 49007-90) is **SUSPENDED** for a period of ten (10) days, beginning fourteen (14) days from the date of this Order.

3. Within ninety (90) days from the date of this Order, Respondent Ronald T. Welnetz shall pay the COSTS of this matter in the amount of \$1,034.

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

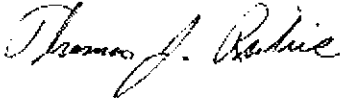
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Payment may also be submitted online via DSPS' Monitoring Case Management System at:
<https://app.wi.gov/DSPSMonitoring>

5. In the event Respondent violates any term of this Order, Respondent's credential (no. 49007-90), or Respondent's right to renew his credential, 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.

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

RONALD T. WELNETZ,
RESPONDENT.

STIPULATION

ORDER 0008131

Division of Legal Services and Compliance Case No. 21 REB 042

Respondent Ronald T. Welnetz 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. Respondent is represented by Attorney Michael Winter.

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.

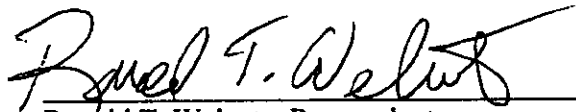
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



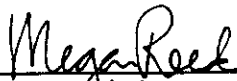
Ronald T. Welnetz, Respondent
Antigo, WI 54409
Credential No. 49007-90

4/11/2022
Date



Michael Winter, Attorney for Respondent
Winter Law Office
835 5th Street
Antigo, WI 54409

4/7/2022
Date



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

04/13/2022
Date