

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
ROBIN J. FAZIO, ANGELO A. FAZIO, AND :
BUYERS VANTAGE INC., :
RESPONDENTS. :

ORDER 0008495

Division of Legal Services and Compliance Case No. 21 REB 019

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

Robin J. Fazio
Brookfield, WI 53005

Angelo A. Fazio
Brookfield, WI 53005

Buyers Vantage Inc.
Brookfield, WI 53005

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 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 Robin J. Fazio (Birth Year 1964) is licensed by the State of Wisconsin as a real estate broker, having license number 50225-90, first issued on May 16, 2000 and current through December 14, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Brookfield, Wisconsin 53005.

2. Respondent Angelo A. Fazio (Birth Year 1965) is licensed by the State of Wisconsin as a real estate salesperson, having license number 52408-94, first issued on December 4, 2000 and current through December 14, 2024. Respondent's most recent address on file with the Department is in Brookfield, Wisconsin 53005.

3. Respondent Buyers Vantage Inc. is licensed by the State of Wisconsin as a real estate business entity, having licensed number 700347-91, first issued on May 16, 2000 and current through December 14, 2024. Respondent's most recent address on file with the Department is in Brookfield, Wisconsin 53005.

4. According to Department records, Respondent Robin J. Fazio is the responsible licensee for Respondent Buyers Vantage Inc.

5. On August 22, 2019, Respondents Robin J. Fazio and Buyers Vantage Inc. were reprimanded (Final Decision and Order #0006379) in Case Number 18 REB 030 for conducting approximately 50 real estate transactions while Buyers Vantage Inc.'s real estate business entity license was expired.

6. On February 21, 2021, the Department received a complaint alleging that Respondents acted improperly in a real estate transaction. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 21 REB 019 for investigation.

7. According to the complaint, Respondent Angelo Fazio had withdrawn a listing for a property on February 2, 2021, but was still advertising the property for sale as of February 21, 2021.

8. On February 24, 2021, the Department emailed Respondents to request a response to the complaint.

9. On March 2, 2021, Respondent Robin Fazio responded on behalf of the Respondents. Robin Fazio stated that Respondent Buyers Vantage Inc. still had an active listing contract for the property. However, the listing contract she provided to the Department showed an expiration date of April 11, 2020.

10. On July 22, 2022, the Department contacted Respondents Robin Fazio and Buyers Vantage Inc. to ask for clarification regarding the expired listing contract and requested they provide documentation of a new listing contract or proof that an extension had been granted.

11. On July 25, 2022, Respondent Robin Fazio responded and provided a document titled "Addendum A. Exclusive Consulting and Service Agreement" (the Agreement). This document is not a Board-approved form and was not drafted by an attorney.

12. The Agreement, which had been signed by Respondent Angelo Fazio and the seller on October 11, 2019, set out the services that Respondents would provide the seller and price of those services.

13. Additionally, the Agreement stated that if the seller wanted to extend the listing contract for longer than the six-month term, they must pay a \$95 extension fee for an additional term. The document did not specify the length of an additional term.

14. Respondent Robin Fazio also provided two receipts showing the seller had twice paid the Agreement's fee for an "MLS Extension," which is described as "[e]xtend[ing] your current MLS listing for an additional term." The receipts do not indicate the length of the additional terms.

15. In resolution of this matter, Respondents consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The 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. Admin. Code § REEB 16.04(1) by failing to use approved forms when acting as an agent or a party in a real estate transaction.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § REEB 24.08 by failing put in writing the exact agreement of the parties.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Robin J. Fazio is REPRIMANDED.

3. Respondent Angelo A. Fazio is REPRIMANDED.

4. Respondent Buyers Vantage Inc. is REPRIMANDED.

5. Respondent Robin J. Fazio's real estate broker license (no. 50225-90) is LIMITED as follows:

- a. Within sixty (60) days of the date of this Order, Respondent shall successfully complete one remedial education course on the topic of forms from a provider pre-approved by the Board or its designee, including taking and passing any exam(s) offered for the course(s).
- b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- c. The education completed pursuant to this Order may not be used to satisfy any other continuing education requirements with the Board.

6. Respondent Angelo A. Fazio's real estate salesperson license (no. 52408-94) is LIMITED as follows:

- d. Within sixty (60) days of the date of this Order, Respondent shall successfully complete one remedial education course on the topic of forms from a provider pre-approved by the Board or its designee, including taking and passing any exam(s) offered for the course(s).
- e. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- f. The education completed pursuant to this Order may not be used to satisfy any other continuing education requirements with the Board.

7. Within ninety (90) days from the date of this Order, Respondent Robin J. Fazio shall pay one-half of the COSTS of this matter, for a total of \$472.

8. Within ninety (90) days from the date of this Order, Respondent Angelo A. Fazio shall pay one-half of the COSTS of this matter, for a total of \$472.

9. All submissions, including requests for pre-approval, proof of successful course completion, and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondents 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

Submissions may also be made online at: <https://dspsmonitoring.wi.gov/>

10. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 50225-90, 52408-94 and 700347-91), or Respondents' right to renew their credentials, 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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: 
A Member of the Board

4/13/2023
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ROBIN J. FAZIO, ANGELO A. FAZIO, AND
BUYERS VANTAGE INC.,
RESPONDENTS.

STIPULATION

ORDER 0008495

Division of Legal Services and Compliance Case No. 21 REB 019

Respondents Robin J. Fazio, Angelo A. Fazio and Buyers Vantage 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 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.

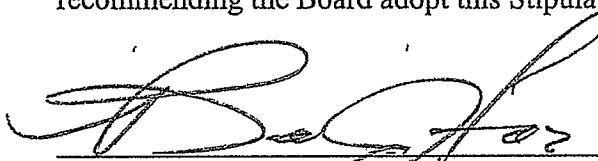
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



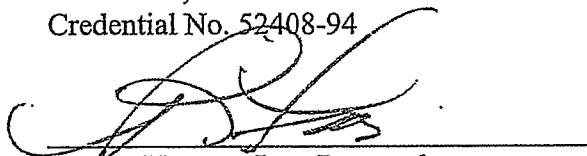
Robin J. Fazio, Respondent
Brookfield, WI 53005
Credential No. 50225-90

1/23/23
Date



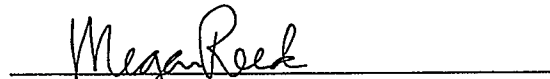
Angelo A. Fazio, Respondent
Brookfield, WI 53005
Credential No. 52408-94

1/23/23
Date



Buyers Vantage Inc., Respondent
By: Robin J. Fazio, Responsible Licensee
Brookfield, WI 53005
Credential No. 700347-91

1/23/23
Date



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

01/31/2022
Date