

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

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/wscga>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
KAREN TRENTADUE AND :
D'APRILE PROPERTIES FONTANA, LLC, :
RESPONDENTS. : **ORDER 0008498**

Division of Legal Services and Compliance Case No. 22 REB 070

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

Karen Trentadue
Grayslake, IL 60030

d'aprile properties Fontana, LLC
Fontana on Geneva Lake, WI 53125

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 Karen Trentadue (Birth Year 1964) is licensed by the State of Wisconsin as a real estate broker, having license number 58918-90, first issued on August 28, 2020 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 Grayslake, Illinois 60030.

2. Respondent d'aprile properties Fontana, LLC is licensed by the State of Wisconsin as a real estate business entity, having license number 938227-91, first issued on March 8, 2018 and current through December 14, 2024. Respondent's most recent address on file with the Department is in Fontana on Geneva Lake, Wisconsin 53125.

3. Respondent Karen Trentadue is identified in Department records as the responsible licensee in charge of Respondent d'aprile properties Fontana, LLC.

4. On May 20, 2022, the Department received a complaint alleging that Respondents' agent, Michael (a/k/a "Mac") Corey, represented both the buyer and the seller in a real estate transaction, but was working in the best interest of the seller at the expense of the buyer. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 22 REB 070 for investigation.

5. In the summer of 2021, Corey represented the seller of a real estate property in Williams Bay, Wisconsin. The listing contract with the seller indicated that the seller agreed to multiple representation with designated agency.

6. In July 2021, Corey and Complainant began communicating regarding the sale of the subject property.

7. On July 13, 2021, Complainant told Corey in a text message that he was ready to make an offer and that he was fine with Corey acting as a "dual agent."

8. Complainant and Corey negotiated the purchase price and settled on \$610,000. On August 7, 2021, Corey sent a text message to Complainant, stating, "Still good for \$610?" and Complainant answered, "Yes." Corey replied that the seller "will take it" and he would draft the offer.

9. On August 9, 2021, Corey sent a text message to Complainant and stated the reason for the delay in drafting the offer was that there had been some showings and they were waiting on responses. Complainant then stated, "I thought we had a deal. When you are a dual agent you need to fairly represent me too."

10. On or about August 11, 2021, Corey sent Complainant's wife (the buyer) a WB-11 Residential Offer to Purchase (OTP) form and a Disclosure to Customers form.

11. On August 20, 2021, the buyer signed the OTP, which was drafted by Corey. The OTP states that Corey is an agent of the buyer.

12. On August 20, 2021, the buyer also signed the Disclosure to Customers form drafted by Corey, which stated that Corey is the seller's agent, and not the buyer's agent.

13. On September 7, 2021, following the home inspection, Complainant sent a list of 31 items from the home inspection report for the seller to address.

14. Corey later emailed the seller "Below is his laundry list of repairs. Not too happy with it. Let's discuss, I am of the mind to tell him we aren't interested in repairing anything since we came down in price so much. Gather your thoughts and let me know."

15. On November 11, 2021, after seeing the above email, Complainant contacted Respondent Trentadue to express concerns with Corey's impartiality.

16. On November 19, 2021, the parties signed a WB-40 Amendment to Offer to Purchase drafted by Corey which stated “Buyer acknowledges Mac Corey and d’aprile properties assisted Buyer as a Customer, not Client, as disclosed in the Disclosure to Customers signed by Buyer on 8/20/21. Buyer hereby waives any claims against Mac Corey or d’aprile properties and shall agree not to file any actions or complaints with the Wisconsin Real Estate Examining Board, National Association of REALTORS, or civil or criminal actions related to this transaction.”

17. On November 19, 2021, the property closed and the transaction was completed.

18. On June 17, 2022, Respondent Trentadue responded to the complaint. Respondent Trentadue stated she had reviewed the file and “...there were definitely a few mis-steps. The contract was not written correctly, the wrong buyer type was struck as it was written as agent of the buyer and the Disclosure to Customer should have been better explained to the customer.”

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

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Karen Trentadue is REPRIMANDED.

3. Respondent d’aprile properties Fontana, LLC is REPRIMANDED.

4. Within ninety (90) days from the date of this Order, Respondent Karen Trentadue shall pay one-third of the COSTS of this matter, for a total of \$197.

5. Within ninety (90) days from the date of this Order, Respondent d’aprile properties Fontana, LLC shall pay one-third of the COSTS of this matter, for a total of \$197.

6. All submissions, including 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://dpsmonitoring.wi.gov/>

7. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 58918-90 and 938227-91), 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.

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

WISCONSIN REAL ESTATE EXAMINING BOARD

by: Thomas J. Rabie
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

KAREN TRENTADUE AND
D'APRILE PROPERTIES FONTANA, LLC,
RESPONDENTS.

:
:
:
:
:
:
:

STIPULATION

ORDER 0008498

Division of Legal Services and Compliance Case No. 22 REB 070

Respondents Karen Trentadue and D'Aprile Properties Fontana, LLC 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.

Karen Trentadue
Karen Trentadue, Respondent
Grayslake, IL 60030
Credential No. 58918-90

3-20-23
Date

Karen Trentadue
D'Aprile Properties Fontana, LLC, Respondent
By: Karen Trentadue, Responsible Licensee
Fontana on Geneva Lake, WI 53125
Credential No. 938227-91

3-20-23
Date

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

03/20/2023
Date