

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
WILLIAM R. WEBBER, :
RESPONDENT. : **ORDER 0008502**

Division of Legal Services and Compliance Case No. 21 REB 051

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

William R. Webber
Hudson, WI 54016

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 William R. Webber (Birth Year 1982) is licensed by the State of Wisconsin as a real estate salesperson, having license number 72794-94, first issued on December 26, 2008 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 Hudson, Wisconsin 54016.
2. On June 2, 2021, the Department received a Report of Conviction form that stated Respondent had six convictions from 2019 and 2020. The Division of Legal Services and Compliance subsequently opened Case Number 21 REB 051 for investigation.
3. According to Department records, Respondent applied to renew his license for the 2020-22 biennium on October 28, 2020. In the application, Respondent was asked about pending charges or convictions. He answered "no" to the following question:

Since your last renewal or initial licensure (if this is your first renewal), do you have any pending charges, prior convictions and/or have you violated any federal or state laws, or any local ordinances (ordinance violations do not include minor traffic violations that do not involve alcohol or drugs, such as speeding, running stoplights, and seat belt violations)?

4. On December 3, 2020, Respondent was convicted of the following in St. Croix County, Wisconsin:

- a. Possess/Illegally Obtain Prescription, a misdemeanor, and Disorderly Conduct, a non-criminal ordinance violation, from an incident on October 24, 2019, in case number 19 CM 827,
- b. OWI (1st), an ordinance violation, from an incident on January 11, 2020, in case number 20 TR 123,
- c. Bail Jumping, a misdemeanor, from an incident on June 7, 2020, in case number 20 CM 444, and
- d. OWI (3rd)¹, a misdemeanor, from an incident on June 7, 2020, in case number 20 CT 273.

5. For the above convictions, Respondent was placed on probation for two years. Additionally, in the OWI (3rd) case, he was sentenced to 80 days in jail and was ordered to complete an AODA assessment, maintain absolute sobriety, and pay a fine and court costs. His driver's license was also revoked for 24 months and was required to have an ignition interlock installed for 27 months.

6. On January 14, 2022, the Department received a complaint that alleged that Respondent had multiple OWI convictions and had been driving his clients around even though he did not have a valid driver's license. The complainant stated, "His clients should fear for their lives when riding with him."

7. On February 2, 2022, Respondent, through his attorney, responded to the above complaint. Respondent acknowledged his convictions and further stated that he had been granted an occupational driver's license and had followed the restrictions of that license. Respondent also stated that he had completed an AODA assessment and all recommended counseling, and he had been sober for "the better part of a year."

8. On December 1, 2022, Respondent applied to renew his license for the 2022-24 biennium, and again responded that he had no pending charges or convictions.

9. On December 19, 2022, Respondent, through his attorney, told the Department that the Report of Conviction form that was submitted to the Department was not prepared by Respondent. Respondent suspected his ex-personal assistant had completed and submitted the form. Respondent asserted that he attempted to timely report his convictions and had completed

¹ According to Respondent, his first OWI conviction was in 2009, in Amery, Wisconsin. It is unclear why the January 11, 2020 incident was charged as a 1st offense.

a different form and had given it to his ex-personal assistant to send to the Department, but the assistant had apparently not done so.

10. 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 is subject to discipline pursuant to Wis. Stat. § 452.14(3)(a) by making a material misstatement in the application for a license.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.17(1) by violating a law the circumstances of which substantially related to the practices of a real estate license and failing to report his convictions within 48 hours after the judgments of conviction.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent William R. Webber's real estate salesperson license (no. 72794-94) is **SUSPENDED** for ten (10) business days, beginning ten (10) calendar days from the date of this Order.

3. Respondent William R. Webber's real estate salesperson license (no. 72794-94) is also **LIMITED** as follows:

Practice Limitations

a. Respondent shall not drive current or prospective real estate clients in any motor vehicle that requires a Department of Transportation issued license.

b. While conducting real estate business, Respondent shall abstain from all use of alcohol and illicit substances.

c. Respondent shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge, or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within 48 hours of any such event, including any conviction resulting from pending charges.

d. Respondent shall provide a copy of this Order to all current and/or future employers.

Petitions for Modification

e. Respondent may petition the Board for modification or termination of any of these limitations after completion of two (2) years of practice in compliance with all terms and conditions of this Order. Respondent's petition must include his history of employment from the effective date of this Order that states the dates and names of any employer, such employment in total equaling two (2) years of practice. Any such petition shall be accompanied by a written recommendation from Respondent's current employer that includes, among other things, the dates of employment and scope of responsibility during such employment.

f. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Respondent shall not have a right to any further hearings or proceedings on the denial.

4. Within ninety (90) days from the date of this Order, Respondent William R. Webber shall pay a FORFEITURE in the amount of \$500 and the COSTS of this matter in the amount of \$1,346, for a total of \$1,846.

5. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and 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) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS' Monitoring Case Management System at: <https://dspsmonitoring.wi.gov/>

6. In the event Respondent violates any term of this Order, Respondent's license (number 72794-94), or Respondent's right to renew his license, 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.

7. 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

WILLIAM R. WEBBER,
RESPONDENT.

:
:
:
:
:

STIPULATION
ORDER 0008502

Division of Legal Services and Compliance Case No. 21 REB 051

Respondent William R. Webber 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 Joel Schlitz.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Real Estate Examining 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.

Billy Webber

Billy Webber (Feb 15, 2023 12:25 CST)

William R. Webber, Respondent
Hudson, WI 54016
Credential No. 72794-94

Feb 15, 2023

Date

Joel D. Schlitz

Joel D. Schlitz (Feb 15, 2023 12:27 CST)

Joel Schlitz, Attorney for Respondent
Mudge, Porter, Lundeen, & Seguin, S.C.
110 Second St.
Hudson, WI 54016-0469

Feb 15, 2023

Date

Megan Reed

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

02/17/2023

Date