

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- 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/wscca>

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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF APPLICATION FOR A :  
REAL ESTATE SALESPERSON CREDENTIAL :  
BRYANNA WADE GARDNER, :  
APPLICANT. :

ORDER GRANTING  
LIMITED LICENSE

**ORDER 0008572**

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

Bryanna Wade Gardner  
Milwaukee, WI 53218

Real Estate Examining Board  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the resolution of this initial application. The Real Estate Examining Board (Board) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On or about November 7, 2022, Bryanna Wade Gardner (DOB 06-30-1993) (Applicant) filed an application for a Real Estate Salesperson credential (#834061).

2. In her application, Applicant disclosed the following prior professional discipline:

- A. On August 18, 2022, Applicant's Wisconsin Childcare Center license issued by the Wisconsin Department of Children and Families was revoked for numerous violations of Wisconsin statutes and regulations including:
  - i. Exceeding childcare center capacity by nearly double the amount of children she was permitted to have in her care.
  - ii. Failing to maintain or have childcare center records available, including those pertaining to attendance, staffing, procedures and emergencies.

3. In resolution of this matter, Applicant consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 452.03(1) and is authorized to enter the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 452.03(1), the Board may grant a license only to a person who is competent to transact that business or occupation in a manner that safeguards the interests of the public, and only after satisfactory proof of the person's competence has been presented to the Board.

3. The practice of real estate involves abiding by Wisconsin statutes and regulations governing the practice of real estate.

4. The practice of real estate sales involves maintaining and having available records related to the practice.

5. Applicant's prior professional discipline and failure to practice in accordance with law raises concerns about her competency to practice real estate.

6. Applicant, by her conduct, is subject to limitations against her credential, pursuant to Wis. Stat. § 452.03(1).

#### ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's Real Estate Salesperson credential are necessary to ensure that she is competent to practice as a Real Estate Salesperson.

3. Applicant's ability to practice as a Real Estate Salesperson is granted subject to the following LIMITATIONS:

A. For a period of one (1) year from the date of this Order:

i. Applicant shall, at all times, practice as a Real Estate Salesperson under the supervision of a Wisconsin licensed Real Estate Broker pre-approved by the Board. Pre-approval of any future real estate broker-supervisor shall be obtained through correspondence with the Department Monitor.

ii. Applicant shall provide a copy of this Order to her current and any future pre-approved supervising Real Estate Broker. Applicant shall arrange for written reports from her pre-approved Real Estate Broker to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Applicant's work performance and describe the circumstances of her employment, including the nature and extent of the Applicant's real estate salesperson activities and whether she

has practiced in compliance with all laws governing the practice of real estate sales.

- iii. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- iv. Applicant shall commit no violations of law pertaining to the practice of a Wisconsin licensed profession.

4. After one (1) year of successful compliance with this Order, Applicant may petition the Board for full, unrestricted license. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

5. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered to:

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](mailto:DSPSMonitoring@wisconsin.gov)

This information may also be submitted online via DSPS' Monitoring Case Management System at: <https://dpsmonitoring.wi.gov>

6. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing. The Board or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Board or its designee. 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: *Liz Lauer* /TLT  
A Member of the Board

05/16/2023

\_\_\_\_\_  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR A :  
REAL ESTATE SALESPERSON CREDENTIAL :

BRYANNA WADE GARDNER, :  
APPLICANT. :

STIPULATION

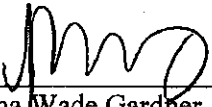
**ORDER 0008572**

It is stipulated between Applicant and the Real Estate Examining Board (Board) as follows:

1. Applicant filed an application for a Real Estate Salesperson credential #834061.
2. Information received by the Board reflects a basis for denial of the initial application.
3. Based upon the information of record, the Board agrees to issue, and Applicant agrees to accept, an Order granting a limited Real Estate Salesperson credential, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
  - the right to request a hearing related to the denial of the application;
  - the right to confront and cross-examine the witnesses against Applicant;
  - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
  - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.
6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.
7. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.

Received by  
MAY 15 2023  
DMS Mailroom

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.

  
\_\_\_\_\_  
Bryanna Wade Gardner  
Milwaukee, WI 53218  
Application No. 834061

5/16/23  
\_\_\_\_\_  
Date

*Liz Lauer* /TLT  
\_\_\_\_\_  
A Member of the Wisconsin Real Estate  
Examining Board  
Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

05/16/2023  
\_\_\_\_\_  
Date