

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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>

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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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|                               |   |                          |
|-------------------------------|---|--------------------------|
| IN THE MATTER OF DISCIPLINARY | : |                          |
| PROCEEDINGS AGAINST           | : |                          |
|                               | : | FINAL DECISION AND ORDER |
| JACOB DAVIS,                  | : |                          |
| RESPONDENT.                   | : | <b>ORDER 0008579</b>     |

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Division of Legal Services and Compliance Case No. 22 REB 013

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

Jacob Davis  
Eleva, WI 54738

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 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 Jacob Davis (Birth Year 1990) is licensed in the state of Wisconsin as a real estate salesperson, having license number 77728-94, first issued on September 27, 2013 and current through December 14, 2024. Respondent is also licensed as a real estate broker, having license number 58181-90, first issued on February 10, 2017 and expired as of December 15, 2022. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew his real estate broker's license, upon payment of a fee, until December 15, 2027. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Elva, Wisconsin 54738.

2. On February 1, 2022, the Department received a complaint from a real estate licensee, who alleged that Respondent had made false accusations about him and had shared a text message he had sent Respondent with a third party.

3. Respondent was representing a buyer interested in a property that was listed by the Complainant.

4. Respondent attempted to contact Complainant by phone to make an offer, but was unable to speak with him. Respondent and Complainant exchanged text messages where Complainant notified Respondent that the first offer fell through, however there were multiple other offers on the property and the second offer was accepted.

5. Respondent became upset that Complainant did not notify him after the first offer failed and stated, "if you want to be a good agent, you should answer your phone more than 1/100 times someone calls." Respondent also informed Complainant what his client was willing to offer for the property.

6. Respondent then shared a screenshot of this text exchange with an unknown third party and told them to show it to the seller of the property, adding that Complainant, the seller's agent, was "a joke."

7. In resolution of this matter, Respondent consents 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, Respondent violated Wis. Stat. § 452.133(1)(d) by failing to keep confidential any information given to him in confidence, or any information obtained by him that he knows a reasonable person would want to be kept confidential, 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 violation, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(L).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Jacob Davis is REPRIMANDED.

3. Respondent Jacob Davis's real estate salesperson's license (number 77728-94) and his right to renew his real estate broker's license (number 58181-90) are LIMITED as follows:

- a. Within ninety (90) days of the date of this Order, Respondent shall, at his own expense, successfully complete one (1) education course on the topic of ethics or professionalism offered by a provider pre-approved by the Board or its designee, including taking and passing any exam offered for the course.
- b. Respondent shall submit proof of successful completion of the education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.
- c. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the ordered education.

4. Within ninety (90) days from the date of this Order, Respondent shall pay the COSTS of this matter in the amount of \$638.00.

5. All requests and submissions, including payment of costs (made payable to Department of Safety and Professional Services), shall be sent 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>

6. In the event Respondent violates any term of this Order, Respondent's licenses (numbers 77728-94 and 58181-90), or Respondent's right to renew his licenses, 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. Ralvic  
A Member of the Board

6/15/2023

Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JACOB DAVIS,  
RESPONDENT.

:  
:  
:  
:  
:

STIPULATION

**ORDER 0008579**

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Division of Legal Services and Compliance Case No. 22 REB 013

Jacob Davis (Respondent) 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.

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.

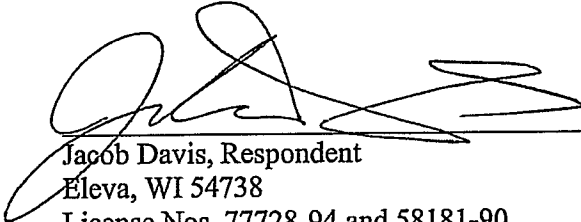
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.

  
Jacob Davis, Respondent  
Eleva, WI 54738  
License Nos. 77728-94 and 58181-90

4-26-23  
Date

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

\_\_\_\_\_  
Date