

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
JEFFREY J. ZUELKE AND	:	
ZUELKE REAL ESTATE CORPORATION,	:	
RESPONDENTS.	:	ORDER 0008703

Division of Legal Services and Compliance Case No. 22 REB 097

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

Jeffrey J. Zuelke
Milton, WI 53563

Zuelke Real Estate Corporation
Milton, WI 53563

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 Jeffrey J. Zuelke (Birth Year 1959) is licensed by the State of Wisconsin as a real estate broker, having license number 53149-90, first issued on August 4, 2005 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 Milton, Wisconsin 53563.

2. Respondent Zuelke Real Estate Corporation is licensed by the State of Wisconsin as a real estate business entity, having license number 835906-91, first issued on October 11, 2005 and current through December 14, 2024. Respondent's most recent address on file with the Department is in Milton, Wisconsin 53563.

3. Respondent Jeffrey J. Zuelke is identified in Department records as the responsible licensee in charge of Respondent Zuelke Real Estate Corporation.

4. On August 1, 2022, the Department received a complaint alleging that Respondents used misleading tactics to solicit the purchase of Complainant's property. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 22 REB 097 for investigation.

5. On or about June 14, 2022, Complainant received a letter in the mail from Respondents. The letter stated: "My name is Jeff. I am a real estate investor and real estate broker in your area. THIS CHECK reflects a legitimate cash offer for your property at 1446 Bittel St. I can close in 30 days or less and will purchase your property "as-is" with no required repairs." The letter included an image of a signed check made out to Complainant in the amount of \$32,421.60. The "check" purported to be from "Zuelke Real Estate Team" and to contain watermarks and a check number. The letter contained additional text stating "We are ready to turn this into a LIVE CHECK for your property at 1446 Bittel St."

6. After reviewing Respondents' letter, Complainant contacted Respondent Zuelke to accept the offer. Zuelke told Complainant that he would first need to see the property. Complainant refused to allow Zuelke to see the property and wished to move forward with the sale.

7. On August 2, 2022, the Department contacted Respondents to request a response to the complaint.

8. On August 24, 2022, Respondents' attorney stated that Respondents' letter was not an actual offer to purchase Complainant's property. Respondents' attorney denied that Respondents were acting as licensees, and stated that no reasonable person would be misled by Respondents' letter. Respondents' attorney noted that the property in question was assessed at \$21,900.

9. On February 24, 2023, the Department contacted Respondents' attorney to ask if this letter was sent to numerous individuals, or just to Complainant.

10. On March 10, 2023, Respondents' attorney stated that Respondents sent the same type of document to other individuals, but this was the only time Respondents solicited the purchase of a property with a letter containing a depiction of a check.

11. 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. § 452.136(1) by advertising in a manner that is false, deceptive, or misleading.

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

ORDER

1. The attached Stipulation is accepted.

2. Respondent Jeffrey J. Zuelke is REPRIMANDED.

3. Respondent Zuelke Real Estate Corporation is REPRIMANDED.

4. Within ninety (90) days from the date of this Order, Respondent Jeffrey J. Zuelke shall pay a FORFEITURE in the amount of \$1,000, and one-half of the COSTS of this matter in the amount of \$258, for a total of \$1,258.

5. Within ninety (90) days from the date of this Order, Respondent Zuelke Real Estate Corporation shall pay a FORFEITURE in the amount of \$1,000, and one-half of the COSTS of this matter in the amount of \$258, for a total of \$1,258.

6. All submissions, including payment of forfeitures and 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/>

7. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 53149-90 and 835906-91), 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:


A Member of the Board

8/17/23
Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JEFFREY J. ZUELKE AND
ZUELKE REAL ESTATE CORPORATION,
RESPONDENTS.

STIPULATION

ORDER 0008703

Division of Legal Services and Compliance Case No. 22 REB 097

Respondents Jeffrey J. Zuelke and Zuelke Real Estate Corporation and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

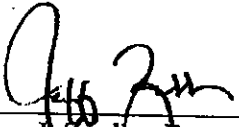
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.
2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive 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.

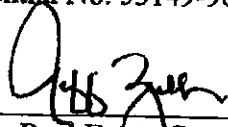
7. Respondents are informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.




Jeffrey J. Zuelke, Respondent
Milton, WI 53563
Credential No. 53149-90

07 / 03 / 2023
Date




Zuelke Real Estate Corporation, Respondent
By: Jeffrey J. Zuelke, Responsible Licensee
Milton, WI 53563
Credential No. 835906-91

07 / 03 / 2023
Date



Robert Mich Jr., Attorney for Respondents
Kay & Andersen, LLC
One Point Place Ste 201
Madison, WI 53719

7 / 3 / 2023
Date



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

07/03/2023
Date