

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

WILLIAM J. LEVY,
RESPONDENT.

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:
:
:

FINAL DECISION AND ORDER

ORDER0008704

Division of Legal Services and Compliance Case No. 21 REB 129

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

William J. Levy
Madison, WI 53704

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 William J. Levy (Birth Year 1957) is licensed in the state of Wisconsin as a real estate broker, having license number 33980-90, first issued on March 13, 1985, 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 Madison, Wisconsin 53704.

2. On December 5, 2021, the Department received a complaint alleging Respondent had been leasing apartments with an expired broker's license. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 21 REB 129 for investigation.

3. At all times relevant to this proceeding, Respondent owned and operated a property management company, “the Firm,” located in Madison, Wisconsin. The Firm did not have a real estate business entity license.

4. According to the Firm’s website, it is “a premier third-party property management company” that focuses on “student and multi-family/conventional apartments.”

5. On December 15, 2018, Respondent’s real estate broker’s license expired.

6. On March 28, 2022, Respondent told the Department that he was the broker in charge of the Firm from 2016-2018, and that a different real estate broker, “Broker A,” was designated as broker in charge in 2018. Respondent also stated that he is the owner and President of the Firm and is in charge of “operating and managing all aspects of his business.”

7. According to Department records, Broker A was not licensed as a broker until December 2021.

8. On May 11, 2022, the Department contacted Respondent and asked if the properties managed by the Firm were owned by the Firm or by others. Respondent replied, “it varies.”

9. On August 4, 2022, Respondent’s broker’s license was renewed.

10. On November 3, 2022, the Firm was issued a real estate business entity license, with Respondent designated as the broker in charge.

11. On March 7, 2023, the Department emailed Respondent to clarify what Broker A’s role at the Firm was. The next day, Respondent replied that Broker A, “was the licensee for the firm.”

12. On March 9, 2023, the Department again emailed Respondent and pointed out that Broker A did not have a broker’s license until December 2021, and since Respondent’s broker’s license expired in 2018, that meant the Firm did not have a responsible broker for roughly three years. The Department asked Respondent to explain his statement that Broker A was the broker in charge of the Firm.

13. On March 18, 2023, Respondent replied, stating, “[Broker A] was a licensed broker during the time.”

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

CONCLUSIONS OF LAW

1. The 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. § 452.03(1) by acting as a broker when his real estate broker’s license was expired.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 452.136(2)(a) by practicing and advertising under a name other than that of a licensed broker or business entity, or a trade name previously filed by a firm with the Department.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.17(3) by aiding and abetting the violation of Wis. Stat. § 452.03(1), by allowing the Firm to act as a broker business entity without a business entity license.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 452.14(3)(a) and (L).

ORDER

1. The attached Stipulation is accepted.

2. Respondent William J. Levy is REPRIMANDED.

3. Respondent William J. Levy's license to practice as a real estate broker in the state of Wisconsin (license number 33980-90) is LIMITED as follows:

- a. Within sixty (60) days of the date of this Order, Respondent shall successfully complete one (1) education course on the topic of ethics offered by a provider pre-approved by the Board or its designee, including taking and passing any exam(s) offered for the course.
- b. Respondent shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below.
- c. The education completed pursuant to this Order may not be used to satisfy any other continuing education requirements with the Board.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,756.

5. All submissions, including requests for pre-approval, proof of successful course completion, and payment of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted 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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

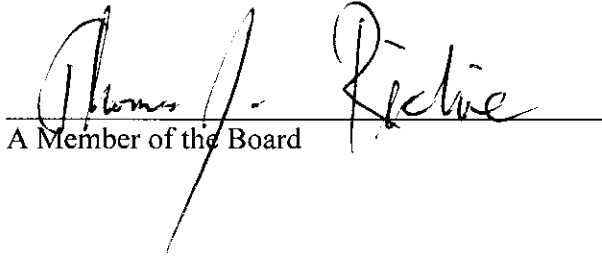
Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>

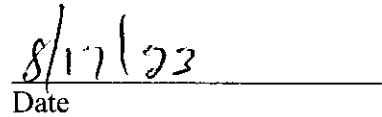
6. In the event Respondent violates any term of this Order, Respondent's license (number 33980-90), or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. 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:


A Member of the Board


Date

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

WILLIAM J. LEVY,
RESPONDENT.

STIPULATION

ORDER 0008704

Division of Legal Services and Compliance Case No. 21 REB 129

William Levy (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. Respondent is represented by Attorney ~~Jennifer Schank~~ Alexander Levy.

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 or Respondent's attorney, 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.

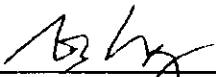
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



William Levy, Respondent
Madison, WI 53704
License No. 33980-90

7/20/23
Date



~~Jennifer Schank, Attorney for Respondent~~
~~Fuhrman & Dodge SC~~
~~6405 Century Ave, Ste 101~~
~~Middleton, WI 53562~~

7/20/23
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

07/20/2023
Date

Alexander
Levy