

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

SHANE J. RENARD,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008706**

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Division of Legal Services and Compliance Case No. 20 REB 106

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

Shane J. Renard  
De Pere, WI 54115

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 Shane J. Renard (Birth Year 1977) is licensed by the State of Wisconsin as a real estate broker, having license number 57962-90, first issued on May 6, 2015 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 De Pere, Wisconsin 54115.

2. On November 12, 2020, Respondent filed a complaint alleging that his former firm was improperly withholding commissions on certain files. Based on the response of his former firm, the Department commenced an investigation into whether the Respondent had permission to practice independently while employed by the firm with respect to properties in which he had an ownership interest. The Division of Legal Services and Compliance (DLSC) opened Case Number 20 REB 106 for investigation.

3. In the November 12, 2020 complaint, Respondent stated that while he was employed by his former firm, he also conducted real estate transactions under his own firm, Renard Realty, without paying commissions to his former firm. Respondent further stated that he was permitted to do so based on a verbal agreement with the firm's acting broker.

4. Renard Realty did not possess a Business Entity Real Estate License with the Department while Respondent was affiliated with his former firm. Respondent contends that it is common practice for real estate agents to use a trade name such as Renard Realty for marketing and advertising purposes. However, Respondent had also not registered Renard Realty as a trade name with the Department.

5. On October 20, 2020, Respondent's former firm claims to have terminated Respondent's employment.

6. Respondent's former firm discovered alleged issues with three specific transactions, which occurred on Sawmill Court in Suamico, Wisconsin (Sawmill Court transaction), Brazeau Avenue in Oconto, Wisconsin (Brazeau Avenue transaction), and Lavender Lane in Green Bay, Wisconsin (Lavender Lane transaction).

7. A Department review of the Sawmill Court transaction revealed the following:

- a. The listing contract, which was completed and signed by Respondent, lists the firm as Respondent's former firm. The listing was entered into MLS on April 1, 2019 and shows an expiration date of September 30, 2019.
- b. A signed Vacant Land Offer to Purchase (OTP) dated August 15, 2019 shows a closing date of September 18, 2019.
- c. Respondent completed his former firm's "Offer Information Sheet," however, the former firm alleges that none of the paperwork was submitted for review by Respondent's managing broker. Respondent contends that the paperwork was uploaded into the firm's system (Dotloop) and available for review by the firm, consistent with past practice.
- d. The OTP, which was drafted by Respondent, stated that the earnest money was to be held by the listing broker. However, the buyer's earnest money check was made payable to the title company. Respondent's former firm alleges that it was not aware that the transaction had closed. Respondent believes that his former firm was aware that the transaction had closed.
- e. A statement received from the title company shows that the only party that received commission from this transaction was Renard Realty.
- f. Respondent agrees that his former firm was entitled to a commission on this transaction but contends that the fact it did not receive a commission was the result of error and not any intentional or fraudulent conduct on his part.

8. A Department review of the Brazeau Avenue transaction revealed the following:
  - a. The OTP was drafted by Respondent, who indicated that he was the agent of the buyer and seller. Respondent also listed his firm as Renard Realty.
  - b. Respondent's former firm alleged that he did not submit the transaction documents for review by his managing broker. Respondent contends that the transaction documents were uploaded into the firm's system (Dotloop) and available for review by the firm, consistent with past practice.
  - c. A Disclosure to Customer form, presumably drafted by Respondent, was signed by the buyers.
  - d. The title company confirmed that Renard Realty had been given the commission for this transaction on October 19, 2017.
  - e. Respondent agrees that his former firm was entitled to a commission on this transaction but contends that the fact it did not receive a commission was the result of error and not any intentional or fraudulent conduct on his part.
9. A Department review of the Lavender Lane transaction revealed the following:
  - a. Respondent represented himself in some of the transaction documents as an agent of his former employer, and other documents as an agent of Renard Realty.
  - b. The listing contract showed that the property was listed by Respondent through Renard Realty. In contrast, the MLS data sheet for this property showed it was being listed by Respondent through his former firm.
  - c. The listing commission was paid directly to Respondent, and Respondent's former firm did not receive a commission.
10. On August 17, 2022, Respondent stated that he did not have copies of the above transaction files, as they were maintained by his former firm, and that Renard Realty had a real estate business entity license, number "1463-0."
11. On August 23, 2022, the Department advised Respondent that the license he referenced was non-existent. Respondent stated that he would obtain a real estate business entity license for Renard Realty, which he subsequently did.
12. On August 24, 2022, Respondent submitted an application for a Real Estate Business Entity license for Renard Realty.
13. On November 15, 2022, the Department reviewed Renard Realty's website, [renardrealtygroup.com](http://renardrealtygroup.com). The website displays a logo at the top of the page for "Renard Realty," and advertises homes for sale in Howard and Suamico, Wisconsin. On the "About" page, Respondent's name is the only name listed.

14. On November 15, 2022, the Department reviewed Renard Realty's Facebook page. Under "Intro," it states, "Renard Realty Full Concierge Firm. Specializing in real estate investments. Handling all your real e." (sic)

15. On February 2, 2023, Renard Realty LLC was issued real estate business entity license number 939168-91.

16. Respondent contends that he made an effort to obtain a Real Estate Business Entity License when he left his former firm but submitted the wrong form by mistake and believed that the license had been issued.

17. In the interest of avoiding the expense and uncertainty of further proceedings, Respondent consents to the entry of the following Conclusions of Law and Order without admitting to all of the violations of state law or administrative code, as noted below.

#### 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 above, Respondent's actions implicate Wis. Admin. Code § REEB 24.05(1)(a)<sup>1</sup> given the allegation that Respondent accepted a fee or compensation related to a transaction from someone other than Respondent's client or firm, without prior written consent from all parties to the transaction.

3. By the conduct described in above, Respondent's actions implicate Wis. Stat. § 452.132(6)(b) and Wis. Admin. Code § REEB 15.04(2) given the allegation that Respondent failed to submit to Respondent's firm in a timely manner all documents related to a transaction.

4. By the conduct described in the above, Respondent's actions implicate Wis. Stat. § 452.136(1) given the allegation that Respondent advertised in a manner that was false, deceptive, or misleading.

5. By the conduct described above, Respondent violated Wis. Stat. § 452.136(2)(a) by failing to advertise in the name of the licensed individual broker or licensed broker business entity, or to disclose a trade name previously filed by the firm with the Department.

6. By the conduct described in the above, Respondent's actions may implicate Wis. Stat. § 452.14(3)(a) given the allegation that Respondent made a material misstatement in information furnished to the Department.

7. By the conduct described above, Respondent's actions implicate Wis. Stat. § 452.19(2) given the allegation that Respondent failed to pay all commissions to Respondent's firm.

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<sup>1</sup> All references to Wis. Admin. Code Ch. REEB are to the Code as it existed at the time of the violations.

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent Shane J. Renard's real estate broker license (no. 57962-90) is **SUSPENDED** for five (5) calendar days, beginning 10 calendar days from the date of this Order.
3. Respondent Shane J. Renard's real estate broker license (no. 57962-90) is also **LIMITED** as follows:
  - a. Respondent shall at all times practice as a real estate broker under the supervision of a Wisconsin licensed real estate broker approved by the board or its designee. Approval shall be obtained through correspondence with the Department Monitor.
  - b. Respondent shall arrange for written reports from the supervising broker to be provided to the Department Monitor on a quarterly basis, beginning 90 days from the lifting of the above suspension. These reports shall provide an assessment of Respondent's work during the previous quarter, and his compliance with all laws governing the practice of real estate, including the Code of Ethics.
  - c. If Respondent seeks to become employed by an individual broker or firm, Respondent shall provide a copy of this Order to his employer prior to employment. Respondent shall provide the Department Monitor with written acknowledgement from each employer, if any, that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
  - d. Respondent is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Respondent shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order.
  - e. Respondent may petition the Board for modification or termination of these limitations after completion of one (1) continuous year 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 one (1) year of practice. Any such petition shall be accompanied by a written recommendation from Respondent's supervising broker 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, except that Respondent may file subsequent petitions for termination or modification with the Board in the event that a petition is denied in whole or in part.

4. Within ninety (90) days from the date of this Order, Respondent Shane J. Renard shall pay a FORFEITURE in the amount of \$1,000, and the COSTS of this matter in the amount of \$2,449, for a total of \$3,449.

5. All submissions, including any petitions, and payment of forfeiture and costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

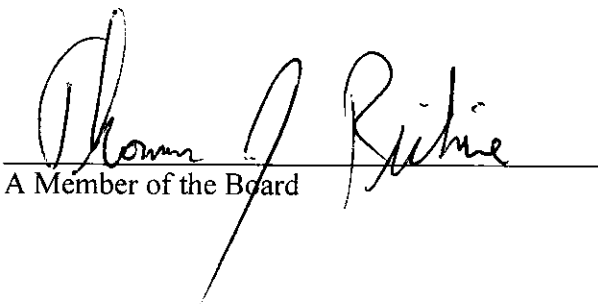
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov


Submissions may also be made online at: <https://dpsmonitoring.wi.gov/>

6. In the event Respondent violates any term of this Order, Respondent's license (number 57962-90), 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

SHANE J. RENARD,  
RESPONDENT.

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STIPULATION

OFFER 0008706

Division of Legal Services and Compliance Case No. 20 REB 106

Respondent Shane J. Renard 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 Deron J. Andre

4. Respondent agrees 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. 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.

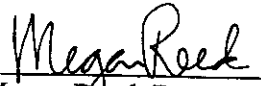
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Shane J. Renard, Respondent  
De Pere, WI 54115  
License No. 57962-90

8-4-23  
Date

  
Deron J. Andre, Attorney for Respondent  
Andre Law Offices  
1255 Scheuring Road, Ste. C  
De Pere, WI 54115

8/7/23  
Date

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

8/7/2023  
Date