

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- 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/wscga>

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

TIMOTHY SWINEA,

RESPONDENT.

:
:
: NOTICE OF FORFEITURE
:
:
: Case # 21 UNL 49
:
: Order: **ORDER 0008765**

TO: Timothy Swinea
401 E South St.
Stoughton, WI 53589

You are hereby notified that you are subject to a forfeiture of **\$250.00** in accordance with Wis. Stat. § 145.12 for advertising plumbing services without possessing a proper plumbing credential in violation of Wis. Stat. § 145.11(1)(c). This forfeiture shall be paid within 30 days of the date of mailing of this Notice. In addition, you shall not be allowed to obtain a credential from the Department of Safety and Professional Services until this forfeiture is paid.

The forfeiture of **\$250.00** shall be made out to the "Department of Safety and Professional Services." Include in the memo line "21 UNL 49" and send to the following address:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
4822 Madison Yards Way
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

You are receiving this forfeiture because a department investigation found that you engaged in advertising plumbing services without possessing any plumbing credential or having a licensed master plumber on staff. Specifically, the investigation found by a preponderance of the evidence that you provided an invoice to John and Deb Eberle at W5797 Mings Road, Monroe WI, wherein you state that your company will charge \$2,300 for a "partial for rough in of plumbing. This includes upstairs (including shower). Main lower bath. This is for new water supply and waste. Water Supply is connected with pex where needed. DWV is connected in basement at old cast." Further in the invoice a note states "Plumbing will have more of my time in it. One shower fixture and one toilet. With lot of moving of pipes re routing. We are still way below average cost." This behavior is sufficient evidence that you and your company advertised plumbing

services. Specifically, it was alleged that you installed a trap and new waste piping in a bathroom sink and that is plumbing which requires a license per Wis. Stat. § 145.06.

The Department afforded you an opportunity to respond by sending letters to your address on file and your known email address. You did not address the invoices in your response to the Department.

Based on the evidence presented to the Department, your failure to rebut the charges to the Department, and a review of the Codes and Statutes there is a preponderance of evidence that you violated Wis. Stat. § 145.11. For these reasons a forfeiture of \$250.00 is assessed in accordance with Wis. Stat. § 145.12(4).

Dated at Madison, Wisconsin on 19 September 2023.

Aloysius Rohmeyer

Aloysius Rohmeyer
Chief Legal Counsel
Department of Safety and Professional Services
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