

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/wscca>

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You are receiving this suspension because the Department received two complaints against you and your company. 21 COM 126 concerned a project where you poured the basement foundation for a modular home in January 2020. The complainant alleged that you failed to make any

attempt to fix the basement after it was found that there were cracks and leaks. The Department opened an investigation to determine if you engaged in negligence, incompetence or misconduct. The Department reached out to you to address these allegations. You responded to the Department numerous times concerning 21 COM 135 but you never addressed these allegations. Therefore, the Department finds there is a preponderance of evidence you engaged in misconduct by failing to attempt to fix the issues in the basement.

In 21 COM 135 the Department received a complaint alleging that you engaged in financial misconduct by failing to pay subcontractors on projects. The Department received evidence of unpaid invoices from subcontractors hired by your company to perform work. The Department received evidence that the Complainant spent an additional \$17,000 and negotiated lower invoices with the subcontractors that you failed to pay. The Department opened an investigation to determine if you engaged in misconduct. In addition, the Department performed a Wisconsin Circuit Court Access records (CCAP) search and found numerous unsatisfied civil and small claim judgments entered against you and your company.

A CCAP search on August 28, 2023, found the following outstanding judgments entered against you from 2020-2023:

- Chippewa County 2023TW108 – Dept. of Revenue – no satisfaction on a \$2,018.59 judgment.
- Chippewa County 2023TW2 – Dept. of Revenue – no satisfaction on a \$2,017.00 judgment.
- Chippewa County 2022FJ7 – Channel Partners Capital LLC – no satisfaction on a \$89,372.16 judgment.
- Eau Claire County 2021CV43 – American Builders and Contractors Supply Co – no satisfaction on \$17,292.91 judgment.
- Rusk County 2022TJ6 Gregory Piltz v Scott Schmidt – partial satisfaction on \$302,993.36 judgment. (transcript of judgment from Eau Claire County 2020CV222)
- Chippewa County 2022CV31 Viking Sink Company – no satisfaction on \$21,149.07 judgment.
- Chippewa County 2021-SC833 – Ken Olson Well Drilling and Pump Service – no satisfaction on \$10,299.50 judgment.
- Barron County 2021CV313 Jay G Koenig – partial satisfaction on \$45,383.23 judgment.
- Chippewa County 2021CV236 Greenwood Concrete – no satisfaction on \$41,147.45 judgment.
- Barron County 2020CV295 Midwest Foundations – no satisfaction on \$36,350.35 judgment.
- Outagamie County 2021SC116 LVNV Funding – no satisfaction on \$1,389.04 judgment.
- Eau Claire County 2020CV222 Accent Finishing – no satisfaction on \$145,746.52 judgment.

The Department also noted that Pierce County Case No. 2023 CF 0019: Theft by Contractor >\$10,000-\$100,000 was filed against you on January 25, 2023.

The Department finds there is a preponderance of evidence that you engaged in misconduct and your credentials are subject to discipline as allowed by Wis. Admin. Code § SPS 305.10(1)(a)5. *See also* Wis. Admin. Code § SPS 305.003(43) for the definition of “misconduct.”

You have the right to request a hearing on the suspension by sending a request for hearing to the Department of Safety and Professional Services, Chief Legal Counsel, P.O. Box 7190, Madison, Wisconsin 53707-7190, which must be received by the Department no later than 30 days from the date of mailing of this Notice. Your request for hearing must set out specifically and in full detail every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. ~~You shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition. Any hearing on the suspension will be held in accordance with the requirements set forth in Wis. Stat. ch. 227.~~

Dated at Madison, Wisconsin on 19 September, 2023.

Aloysius Rohmeyer

Aloysius Rohmeyer
Chief Legal Counsel,
Department of Safety and Professional Services

RETURN MAIL
RECEIVED 10/5/2023
APPEAL DEADLINE
11/3/2023
BAC per MKM