

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

Exterior Pros LLC

&

Douglas Hibl

RESPONDENT.

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: NOTICE OF SUSPENSION  
: AND RIGHT TO HEARING  
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**ORDER 0008793**

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: Case # 22 COM 131  
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TO: EXTERIOR PROS LLC  
W227N6270 Sussex Rd  
Sussex, WI. 53089

You are hereby notified that your dwelling contractor and dwelling contractor qualifier certificates (DCQ-122201383; DC-122201294) are hereby suspended for three months. The suspension shall begin on November 6, 2023 and expire on February 5, 2024. Upon completion of the suspension you may request reinstatement of your credentials. The credentials will remain suspended until you make a request for reinstatement. You may send your request to [dspscredtrades@wisconsin.gov](mailto:dspscredtrades@wisconsin.gov).

The basis for this suspension is as follows:

**Violation of Wis. Admin. Code § SPS 305.10(1)(a)5. Suspension for engaging in misconduct.**

The Department received a complaint concerning work you did at 100 Oakwood Ln, North Prairie, WI. 53153. The complaint alleged that you were hired to repair and replace the roof, roof decking, soffit, fascia and gutter and remove and repair a decorative banister. Upon reported completion, the Complainant believed that the work done did not meet the contracted obligations.

The Department reviewed the complaint and conducted an investigation. The investigation found that the contract entered into between the parties included pricing for replacing the decking on the roof. Complainant alleged that this was something they wanted completed as part of the project.

The Department provided you an opportunity to respond. You stated that at the time the contract was received, it was not clear whether the decking needed replacing or not. Upon tear-off of the old roofing, the crew members and the Project Manager, Eric, walked the roof and inspected the decking. Respondent claimed that it was not wet, rotted, and could hold the roofing nails. They

quoted SPS 321.28(3)(a)3 in saying "Shingles shall be installed in accordance with the manufacturers recommendations" GAF states that acceptable decks will have sufficient nail-holding capacity and ability to securely hold roofing nails. Eric discussed this with Complainant and the sales representative the following day. Eric went into the attic and told Complainant and the sales representative (both standing at the bottom of the ladder) that there was no rotted wood decking that needed replacing. They could resolve the mold with proper venting and respondent would credit the invoice for the unnecessary decking.

The Department presented this information to the Complainant who disagreed with your explanation. Complainant stated that your sales representative inspected the attic of Complainant and found mold on the deck boards. The advised solution was to replace them. The agreement was made to do so as evidenced by the invoice. On day one the roofers came and removed the roofing; they did not remove and replace the deck boards. When the onsite foreman, Eric, later arrived almost all the new shingles had been placed and secured. He said that replacing the decking wasn't necessary but had not yet gone inside to look at the decking. The next day he went into the attic and acknowledged the problem but said that it could be solved with interior remediation. He recommended they find someone to provide that venting even though it was Complainant's understanding that the replacing of the deck boards would resolve the mold problem by the removal of the moldy boards. The roofing was completed without Complainant's approval.

The Department has considered all the factors concerning this matter. The Department's investigation found by a preponderance of the evidence that you engaged in misconduct. The Department notes that the original agreement between the parties included decking and that there was no change order signed by the parties indicating that both parties agreed that decking was not necessary. Complainant wanted the decking replaced and failure to do so when the contract called for it is misconduct. The approximately \$5,000 discount is insufficient to address the matter.

Based on the foregoing, the Department has authority under Wis. Admin. Code § SPS 305.10(1)(a)5 to suspend your credentials for these actions and finds that a suspension of 3 months is appropriate.

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. The request for a hearing on the suspension shall set out specifically and in full detail every reason why this order is unreasonable, and every issue to be considered by the department on the hearing. Anything not addressed in the request shall be deemed waived. 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 September 29 2023.

*Aloysius Rohmeyer*

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