## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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ALETHA J. CHAMPINE, RESPONDENT.	:	<b>ORDER 0 0 0 88</b> 23
	:	FINAL DECISION AND ORDER
PROCEEDINGS AGAINST	:	
IN THE MATTER OF DISCIPLINARY	:	

Division of Legal Services and Compliance Case No. 23 REB 025

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

Aletha J. Champine Milwaukee, WI 53226

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 Aletha J. Champine (Birth Year 1982) is licensed by the State of Wisconsin as a real estate salesperson, having license number 84457-94, first issued on July 7, 2017 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 Milwaukee, Wisconsin 53226.

2. On February 28, 2023, the Department received a complaint alleging that Respondent acted in an unethical manner while providing real estate services to Complainant. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 23 REB 025 for investigation.

3. In early 2023, Respondent represented Complainant, a potential homebuyer.

4. The complaint stated that Complainant asked Respondent to show him several homes in the Green Bay area. Respondent told Complainant that she was unavailable to show the homes, and she suggested a scheme to have an unknown real estate agent perform the showings without receiving a commission.

5. According to the complaint, Respondent suggested that Complainant use an online service to find "a random agent" for the showings. Respondent told Complainant to have his significant other contact the agent, and bring a friend to pose as her spouse, so that the agent wouldn't discover that Complainant was represented. Then, if Complainant decided to make an offer on a property, Respondent could write the offer and receive the commission. Complainant stated that Respondent admitted this was a "sketchy practice."

6. According to Respondent, she set up several showings for the weekend of January 21 and 22, 2023, with other agents from her firm who worked in the Green Bay area. However, Complainant did not want to wait for the appointments to see the properties and called Respondent to find out if there was any way to see the homes sooner.

7. Respondent admitted that she did advise Complainant to request a showing using Zillow. She added that Complainant was a difficult personality, often very persistent and aggressive, and he would not take "no" for an answer.

8. Complainant obtained showings of the properties by following Respondent's plan. Complainant decided to make an offer on one of the properties.

9. On January 21, 2023, Respondent wrote an Offer to Purchase the property, which was accepted, and Respondent received commission for the purchase.

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

## 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 in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.03(2)(b) by failing to act to protect the public agent fraud, misrepresentation and unethical practices.

3. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. 452.14(3)(L) and (4m)(a).

## <u>ORDER</u>

- 1. The attached Stipulation is accepted.
- 2. Respondent Aletha J. Champine is REPRIMANDED.

3. Respondent Aletha J. Champine's real estate salesperson license (no. 84457-94) is LIMITED as follows:

- a. Within sixty (60) days of the date of this Order, Respondent shall successfully complete one education course on the topic of ethics. The course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Respondent shall be responsible for locating a course satisfactory to the Board and for obtaining the required approval of the course from the Board or its designee. Respondent must take and pass any exam 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 Aletha J. Champine shall pay a FORFEITURE in the amount of \$1,000, and the COSTS of this matter in the amount of \$747, for a total of \$1,747.

5. All submissions, including requests for pre-approval, proof of successful course completion, 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 <u>DSPSMonitoring@wisconsin.gov</u>

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

6. In the event Respondent violates any term of this Order, Respondent's license (number 84457-94), or Respondent's right to renew her 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: <u>Mome Aluno</u> <u>10/19/2023</u> A Member of the Board

RESPONDENT.	:	ORDER 0 0 0 88 23	_
ALETHA J. CHAMPINE,	: :	STIPULATION	
PROCEEDINGS AGAINST	:		
IN THE MATTER OF DISCIPLINARY	:		

Division of Legal Services and Compliance Case No. 23 REB 025

Respondent Aletha J. Champine 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.

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.

Aletha J. Champine, Respondent Milwaukee, WI 53226 Credential No. 84457-94

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

September 21st, 2023 Date

<u>9/28/2023</u> Date