

## 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

TAMARA Y. CANTRELL,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008825**

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Division of Legal Services and Compliance Case No. 20 REB 124

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

Tamara Y. Cantrell  
Milwaukee, WI 53209

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 Tamara Y. Cantrell (Birth Year 1973) is licensed by the State of Wisconsin as a real estate salesperson, having license number 72075-94, first issued on May 12, 2008 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 53209.

2. On December 21, 2020, the Department received a complaint alleging that Respondent failed to present Complainant's Offer to Purchase (OTP) to the seller in a timely manner. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 20 REB 124 for investigation.

3. In December 2020, Respondent represented the seller in a real estate transaction in Brown Deer, Wisconsin.

4. On December 10, 2020, Complainant submitted an OTP for the subject property. The offer had a binding acceptance date of December 11, 2020.

5. On December 11, 2020, Complainant contacted Respondent to request an update about the OTP. Respondent stated that the OTP would be presented to the seller the following day.

6. On December 12, 2020, Respondent presented the offers in person to her client. Complainant again contacted Respondent to request an update about the OTP. Respondent informed Complainant that the seller had accepted another offer.

7. The accepted offer ended with a mutual agreement to cancel, and Respondent relisted the property.

8. On December 24, 2020, Complainant submitted a second OTP for the subject property. The offer had a binding acceptance deadline of 7 PM the same day. The OTP was purportedly emailed to the client at 7:21 PM. This OTP was rejected by the seller on December 26, 2020 in favor of another offer.

9. On January 20, 2021, the Department contacted Respondent to request a response to this complaint. Respondent provided some of the transaction documents for the property with her response.

10. On January 27, 2021, Respondent stated that she emailed Complainant's first OTP to the seller soon after receiving it, and presented the offer to the seller in person at the earliest opportunity, which was December 12, 2020. She provided an email to her client with the subject line indicating an offer to purchase was sent on December 11, 2020, but the attachment was not readable.

11. A Department review of the OTPs provided by Respondent found the following issues:

- a. On Complainant's first OTP, dated December 10, 2020, Respondent did not complete any of lines 587-589, which would have detailed Respondent's presentation of the offer to the seller, and the seller's response.
- b. On an OTP from Agent S., drafted on December 10, 2020, Respondent only partially completed lines 587-589, indicating that the OTP was presented to the seller, but did not indicate a date or time or the seller's response.
- c. On Complainant's second OTP, dated December 24, 2020, Respondent did not complete any of lines 587-589.
- d. On an OTP from Agent V., drafted on December 24, 2020, Respondent only completed line 589 indicating a counter-offer was made, however lines 587-588 were left blank.

12. On October 27, 2022, the Department contacted Respondent to request all the emails between Respondent and the seller, to be presented in a format that the Department could view the attachments included with the emails. Specifically, the Department asked Respondent if she had any written documentation showing an agreement with the seller that OTPs should be presented at a later date, in-person, rather than promptly upon receipt.

13. On the same date, Respondent replied stating that she no longer has access to the emails she had sent to the seller because she had purchased a new phone. Respondent also stated that because the seller was visually impaired, she had to present everything in person, and that the agreement with the seller to present OTPs in-person was never reduced to writing.

14. The WB-1 Residential Listing Contract does not reference an agreement to present OTPs in-person.

15. 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 15.04(1) by failing to retain for at least 2 years, exact and complete copies of all documents and correspondence utilized, received or prepared in connection with a transaction.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 16.06(8) by failing to use approved forms and prepare addenda in such a manner as to adequately accomplish the contractual instruction of the person for whom the licensee uses the forms and prepares the addenda.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § REEB 24.13(3)(c) by failing to promptly present to her client all written proposals received unless the presentation would be contrary to specific written instructions from the client.

5. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 452.133(1)(b) by failing to provide brokerage services with reasonable skill and care.

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

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Tamara Y. Cantrell is REPRIMANDED.

3. Respondent Tamara Y. Cantrell's real estate salesperson license (no. 72075-94) is LIMITED as follows:

- a. Within sixty (60) days of the date of this Order, Respondent shall successfully complete one course on the topic of real estate forms, and one course on the topic of real estate office management. Each course attended in satisfaction of this Order must be pre-approved by the Board or its designee. Respondent shall be responsible for locating course(s) satisfactory to the Board or its designee and for obtaining the required approval of the course(s) from the Board or its designee. Respondent must take and pass any exam offered for the course(s).
- 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 Tamara Y. Cantrell shall pay the COSTS of this matter in the amount of \$809.

5. All submissions, including requests for pre-approval, proof of successful course completion, and payment of 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](mailto:DSPSMonitoring@wisconsin.gov)

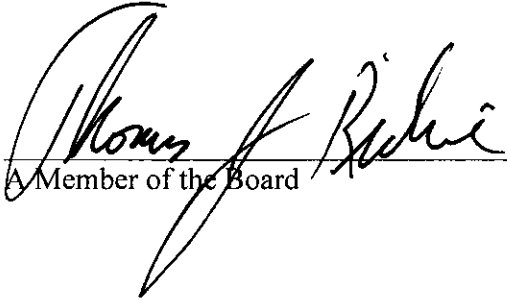
Submissions may also be made online at: <https://dspsmonitoring.wi.gov/>

6. In the event Respondent violates any term of this Order, Respondent's license (number 72075-94), 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:

  
A Member of the Board

10/19/2023  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

TAMARA Y. CANTRELL,  
RESPONDENT.

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STIPULATION

**ORDER 0008825**

Division of Legal Services and Compliance Case No. 20 REB 124

Respondent Tamara Y. Cantrell 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.

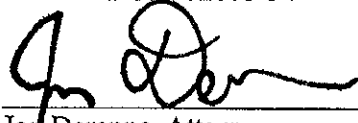
DocuSigned by:



Tamara Y. Cantrell, Respondent  
Milwaukee, WI 53209  
Credential No. 72075-94

10/1/2023

Date



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

10/31/2023

Date