

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE AUCTIONEER BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ROBERT D. PETTS AND  
WISCONSIN ESTATE SOLUTIONS, LLC,  
RESPONDENTS.

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FINAL DECISION AND ORDER

**ORDER 0008829**

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Division of Legal Services and Compliance Case No. 20 AUC 001

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

Robert D. Petts  
Schofield, WI 54476

Wisconsin Estate Solutions, LLC  
Schofield, WI 54476

Wisconsin Auctioneer 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

PROCEDURAL HISTORY

A disciplinary proceeding was commenced in this matter by the filing of a Notice of Hearing and Complaint with the Wisconsin Auctioneer Board (Board) on June 8, 2023. Prior to the hearing on the Complaint, the parties in this matter agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Robert D. Petts (Birth Year 1969) is registered by the State of Wisconsin as an auctioneer, having registration number 2948-52, first issued on February 14, 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 Schofield, Wisconsin 54476.

2. Respondent Wisconsin Estate Solutions, LLC is registered by the State of Wisconsin as an auction company, having registration number 498-53, first issued on April 18, 2017 and current through December 14, 2024. Respondent's most recent address on file with the Department is in Schofield, Wisconsin 54476.

3. Respondent Robert D. Petts is identified in Department records as the responsible licensee in charge of Respondent Wisconsin Estate Solutions, LLC.

4. On February 5, 2020, the Department received a complaint regarding an auction conducted by Respondents.

5. On February 21, 2020, as part of their response to the complaint, Respondents provided a copy of the contract entered into with the client consignor for the auction in question.

6. A Department attorney reviewed the Auctioneer Contract provided by Respondent Petts. The Auctioneer Contract was found to be deficient in the following ways:

- a. The contract failed to contain the state registration number and business telephone number for Respondent Wisconsin Estate Solutions, LLC.
- b. The contract failed to contain a general description of the property to be sold at auction.
- c. The contract failed to contain the date or time period when the items will be sold at auction.

7. In resolution of this matter, Respondents consent to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Auctioneer Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 480.24, 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, Respondents violated Wis. Admin. Code § SPS 124.02(1), (3), and (6) by conducting an auction with a contract that failed to contain:

- a. The registrant's name, trade or business name, state registration number, business address and business telephone number.
- b. A general description of the property to be sold at auction, any restrictions relating to conducting the auction and a statement indicating whether the registrant is authorized to purchase at the auction.
- c. The date, dates or time period during which the items will be sold at auction.

3. As a result of the above violations, Respondents are subject to discipline pursuant to Wis. Stat. §§ 480.24(2)(b).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Robert D. Petts is REPRIMANDED.

3. Respondent Wisconsin Estate Solutions, LLC is REPRIMANDED.

4. Within ninety (90) days from the date of this Order, Respondent Robert D. Petts shall pay the COSTS of this matter in the amount of \$500.

5. Requests for pre-approval, proof of successful course completion, submission of documents, and payment of forfeiture and costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondents 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

Respondents may also submit this information online at: <https://dspsmonitoring.wi.gov/>

6. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 2948-52 and 498-53), or Respondents' right to renew their credentials, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have 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 AUCTIONEER BOARD

by:   
A Member of the Board

10/24/2023  
Date

STATE OF WISCONSIN  
BEFORE THE AUCTIONEER BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ROBERT D. PETTS AND  
WISCONSIN ESTATE SOLUTIONS, LLC,  
RESPONDENTS.

STIPULATION

ORDER 0008829

Division of Legal Services and Compliance Case No. 20 AUC 001

Respondents Robert D. Petts and Wisconsin Estate Solutions, LLC and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

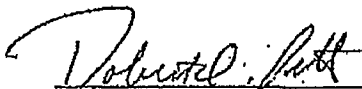
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.
2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:
  - the right to a hearing on the allegations against Respondents, 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 Respondents;
  - the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
  - the right to testify on Respondents' 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 Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code and other provisions of state or federal law.
3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondent is represented by Attorney Guy J. DuBeau.
4. Respondents agree to the adoption of the attached Final Decision and Order by the Wisconsin Auctioneer 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. Respondents waive 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 Respondents, 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. Respondents are 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.

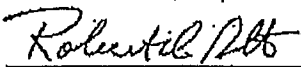
8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Robert D. Petts, Respondent  
Schofield, WI 54476  
Credential No. 2948-52

07 AUG 2023

Date



Wisconsin Estate Solutions, LLC, Respondent.  
By: Robert D. Petts, Responsible Licensee.  
Schofield, WI 54476  
Credential No. 498-53

07 AUG 2023

Date



Guy J. DuBeau, Attorney for Respondent  
Axley Brynson, LLP  
2 E. Mifflin St. #200  
Madison, WI 53703

8/3/23

Date



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

9/12/23

Date