

## 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

DOUG W. NOOT,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008888**

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Division of Legal Services and Compliance Case No. 21 REB 029

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

Doug W. Noot  
Monona, WI 53716

Wisconsin 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. Doug W. Noot (Respondent), (Year of Birth 1969) is licensed in the state of Wisconsin as a real estate broker, having license number 52645-90, first issued on January 2, 2005 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 Monona, Wisconsin 53716.

2. In addition to working as a real estate broker, Respondent owned and operated Bartels705, LLC (Bartels705), which managed apartment complexes around Madison, Wisconsin.

3. On March 23, 2021, the Department received a complaint alleging Respondent used Complainant's personal information to open a utility account for an apartment she never resided in. Complainant also referred the issue to the Dane County District Attorney's office.

4. On April 15, 2021, Respondent told the Department that the Complainant toured the apartment in late November 2020, and wanted to move in as soon as possible. He stated that she filled out an application for the apartment and met with Respondent on November 29, 2020 to sign the lease. Respondent stated that Complainant wanted to modify the lease, so it was not signed at that time. Nevertheless, he claimed that Complainant paid the security deposit and that he gave her a key to the apartment. Respondent stated that he dropped off the updated lease in her mailbox the next day.

5. According to a police report obtained by the Department, on April 29, 2021, a Madison Police Department (MPD) Detective met with Respondent. The MPD detective told Respondent, after speaking with neighbors, that no one has resided in that residence for at least one year. Respondent then admitted that Complainant had rented a unit from him about 15 years ago and allegedly owed him some money, so without her permission, he opened an account under her name with the utility company to "recoup some of the money that went unpaid from years prior."

6. On August 6, 2021, when the Department asked for evidence of Respondent's communications with Complainant or a copy of her lease application, Respondent told the Department that an employee of Bartels705 had erred in putting the MG&E account in Complainant's name because Complainant had never moved into the apartment. Respondent said that Bartels705 paid the account balance once the error was realized. No evidence of Complainant's alleged interest in the property was provided.

7. On August 18, 2021, Respondent was charged in Dane County Circuit Court Case Number 21CF1841, with one (1) count of Misappropriation ID Info – Obtain Money, Party to a Crime, a class H felony, in violation of Wis. Stat. § 943.201(2)(a) and Wis. Stat. § 939.05.

8. On October 7, 2021, Respondent admitted to the Department that Complainant had never met anyone at the apartment and had not communicated with anyone at Bartels705. He also stated he wanted to retract his previous statements to the Department. Respondent claimed that he was in a car accident in late 2020, and he had had many health issues as a result, including cognitive disorders.

9. On February 15, 2022, Respondent pled guilty in Dane County Circuit Court Case Number 21CF1841, to one (1) count of Misappropriation ID Info-Obtain Money, Party to a Crime.

10. The court withheld Respondent's adjudication and referred Respondent for a first offender program on March 14, 2022, which he completed on December 27, 2022. The felony case was dismissed upon his completion of the program.

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

### CONCLUSIONS OF LAW

1. The 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 failed to provide brokerage services honestly and fairly in violation of Wis. Stat. § 452.133(1)(a), pursuant to Wis. Stat. § 452.133(4m)(a).
3. By the conduct described in the Findings of Fact, Respondent failed to keep confidential information given to the firm in confidence, or any information obtained by the firm that the firm knows a reasonable person would want to be kept confidential in violation of Wis. Stat. § 452.133(1)(d), pursuant to Wis. Stat. § 452.133(4m)(a).
4. By the conduct described in the Findings of Fact, Respondent made a material misstatement to the Board or Department in violation of Wis. Stat. § 452.14(3)(a).
5. By the conduct described in the Findings of Fact, Respondent demonstrated incompetency to act as a broker in a manner which safeguards the interests of the public in violation of Wis. Stat. § 452.14(3)(i).
6. By the conduct described in the Findings of Fact, Respondent engaged in conduct that constitutes improper, fraudulent, or dishonest dealing in violation of Wis. Stat. § 452.14(3)(k).
7. By the conduct described in the Findings of Fact, Respondent failed to act to protect the public against fraud, misrepresentation and unethical practices in violation of Wis. Admin. Code § REEB 24.03(2)(b).
8. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. §§ 452.14(3)(a), (i), (k), and (L).

### ORDER

1. The attached Stipulation is accepted.
2. Respondent's license to practice as a real estate broker in the state of Wisconsin (license no. 52645-90) is hereby SUSPENDED, at a minimum, for the period between December 8, 2023 and January 30, 2024.
3. Before returning to real estate practice from his suspension, Respondent shall undergo an evaluation by a licensed physician (evaluator) who is competent to determine whether Respondent currently possesses any mental or physical health condition which renders Respondent unable to practice with reasonable skill and safety to clients. The evaluator must be preapproved by the Board's designee, under the following terms:
  - a. The evaluator shall have had a minimum of ten years of experience in the practice of medicine, and may not have been previously disciplined by any credentialing authority.

b. Before undergoing the evaluation, Respondent shall submit to the Department Monitor a copy of the evaluator's curriculum vitae, and copies of professional licenses and certifications held.

c. The evaluator must have had no previous personal or professional relationship with Respondent, and may not have previously evaluated or treated Respondent.

d. Respondent must provide the evaluator with a copy of this Order.

e. Respondent shall authorize release directly to the evaluator of records of mental or physical health evaluations, diagnosis, treatment and treatment summaries that Respondent has undergone, and such other records that the evaluator determines are necessary to perform a competent evaluation.

f. While the evaluator remains responsible for the final evaluation, the evaluator may consult with, or delegate testing or other components of the evaluation, to other health professionals who the evaluator deems competent.

g. Within thirty (30) days of the completion of the evaluation, a written report regarding the results shall be submitted to the Department Monitor, and shall also contain the following:

i. The evaluator shall identify restrictions on the nature of practice or practice setting or requirements for supervision of practice, if any, which are necessary to render Respondent able to practice with reasonable skill and safety.

ii. The evaluator shall identify specific treatment goals, if any, which must be met before Respondent is able to practice with reasonable skill and safety.

h. The evaluator's opinions and conclusions must be rendered to a degree of reasonable professional certainty.

i. Respondent is responsible for the costs associated with the evaluation.

j. Respondent shall authorize the evaluator to discuss the results of the evaluation with the Board or its designee.

3. Respondent's license to practice as a real estate broker in the state of Wisconsin (license no. 52645-90) is LIMITED as follows:

a. Following the conclusion of the suspension of his real estate broker license and the receipt of an evaluation, detailed above, satisfactory to the Board or its designee that Respondent is fit to safely return to practice, for a period of four (4) years Respondent may only practice as a real estate broker while under the supervision of another Wisconsin licensed real estate broker.

b. Within sixty (60) days of the conclusion of his suspension, Respondent shall submit to the Department Monitor the name and contact information of his proposed supervising broker for review and approval by the Board or its designee. Before being approved by the Board, the supervising broker must inform the Board that they are aware of the existence of this Order. Respondent must inform the Board of any change in employment, and any subsequent supervising broker he works under must be reviewed and approved by the Board in the same manner.

c. Beginning ninety (90) days following the approval of his supervising broker, Respondent shall arrange for his supervising broker to provide quarterly reports directly to the Department Monitor. These reports shall address Respondent's compliance with this Order, including whether he has practiced in compliance with all laws governing the practice of real estate brokering.

d. Beginning after two (2) years of successful compliance with the terms of this Order, including at least eight (8) consecutive periods in which all quarterly reports required to be submitted under this Order are satisfactory to the Board, Respondent may petition the Board for reinstatement to full licensure. The Board may grant or deny any such petition, in its discretion, or may modify this Order as it sees fit. A denial of such a petition shall not be deemed a denial of license under Wis. Stat. § 227.42 or Wis. Admin. Code SPS 1, and shall not be subject to any right to further hearing or appeal.

4. Within ninety (90) days from the date of this Order, Respondent shall pay a FORFEITURE in the amount of \$1,000 and the COSTS of this matter in the amount of \$1,460 for a total of \$2,460.

5. In the event Respondent violates any term of this Order, Respondent's real estate broker license (license no. 52645-90), or Respondent's right to renew his 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.

6. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

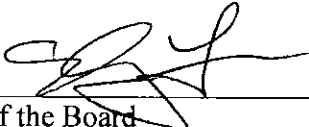
Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

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

7. This Order is effective on the date of its signing.

WISCONSIN REAL ESTATE EXAMINING BOARD

By:

  
A Member of the Board

12/7/23  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

DOUG W. NOOT,  
RESPONDENT.

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STIPULATION

**ORDER 0008088**

Division of Legal Services and Compliance Case No. 21 REB 029

Respondent Doug W. Noot 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

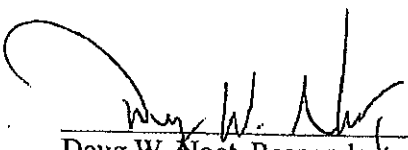


not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

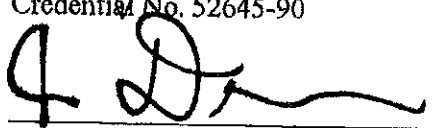
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes 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.

  
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Doug W. Noot, Respondent  
Monona, WI 53716  
Credential No. 52645-90

11/26/23  
Date

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

11/27/23  
Date