

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MARIO D. HARDWICK,	:	
RESPONDENT.	:	ORDER 0008889

Division of Legal Services and Compliance Case No. 20 REB 108

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

Mario D. Hardwick
Milwaukee, WI 53206

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 Mario D. Hardwick (Birth Year 1979) is licensed by the State of Wisconsin as a real estate salesperson, having license number 74810-94, first issued on November 1, 2010 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 53206.

2. On November 17, 2020, the Department received a complaint alleging that Respondent had an assistant forge a real estate document for use in a transaction. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 20 REB 108 for investigation.

3. Respondent represented the buyers in a real estate transaction that was scheduled for closing on November 13, 2020.

4. On November 12, 2020, Respondent requested a WB-40 Amendment to reduce the amount of closing costs paid by the sellers. The sellers agreed, but the document required both the buyers' and sellers' signatures.

5. On November 13, 2020, before closing, Respondent sent the WB-40 Amendment to the sellers' agent for her clients to sign. The sellers electronically signed the WB-40 Amendment via DocuSign, and the sellers' agent then sent the signed document to the Respondent for his clients' signatures. Respondent later advised that he had sent the fully executed document to the lender, who then sent it on to the title company.

6. Just prior to the 2:30 p.m. closing on November 13, 2020, the seller's agent received a copy of the fully executed WB-40 Amendment and noticed that the sellers' signatures were handwritten instead of electronically signed, and the signatures were dated November 12, 2020.

7. The sellers' agent advised the title company representative that her clients did not sign this document in handwriting, and they did not sign anything on November 12, 2020. She also expressed concern that Respondent had sent a forged document to the lender.

8. When Respondent arrived at closing, the title company representative asked him about the signatures. Respondent stated the buyers had signed the document via DocuSign on November 13, 2020. He stated that the previous day he had had someone at his office sign the document for both buyers and sellers, and he claimed that he had permission to have this person sign. The sellers' agent insisted that there was no permission granted from the sellers.

9. On February 17, 2021, the Greater Milwaukee Association of Realtors (GMAR) Ethics Hearing Panel issued a Decision regarding Respondent's behavior in the subject transaction. Respondent was ordered to pay a \$5,000 fine and to complete remedial education.

10. On February 21, 2022, the Department emailed Respondent to request copies of the transaction documents.

11. On March 7, 2022, Respondent emailed the transaction documents to the Department, but did not include the forged document.

12. 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 against 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).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Mario D. Hardwick's real estate salesperson license (no. 74810-94) is hereby **SUSPENDED** for fourteen (14) calendar days, beginning fourteen (14) calendar days from the date of this Order.

3. Respondent Mario D. Hardwick's real estate salesperson license (no. 74810-94) 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 from a provider pre-approved by the Board or its designee, including taking and passing any exam(s) offered for the courses. This course must not be the same course Respondent took as a result of the GMAR hearing.
- 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 and may not be used in future attempts to upgrade a credential in Wisconsin.

4. Within ninety (90) days from the date of this Order, Respondent Mario D. Hardwick shall pay a **FORFEITURE** in the amount of \$100, and the **COSTS** of this matter in the amount of \$1,814, for a total of \$1,914.

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
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 74810-94), 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.

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

MARIO D. HARDWICK,
RESPONDENT.

STIPULATION

ORDER 0008389

Division of Legal Services and Compliance Case No. 20 REB 108

Respondent Mario D. Hardwick 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.

Authenticity:
Mario D Hardwick
11/13/2023 11:47:59 PM GMT

11/13/2023

Mario D. Hardwick, Respondent
Milwaukee, WI 53206
Credential No. 74810-94

Date

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

11/14/2023
Date