

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAMES M. DOOLEY,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0008391

Division of Legal Services and Compliance Case No. 22 REB 091

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

James M. Dooley
Apple Valley, MN 55124

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 James M. Dooley (Birth Year 1951) is licensed by the State of Wisconsin as a real estate broker, having license number 47869-90, first issued on February 24, 1995 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 Apple Valley, Minnesota 55124.

2. On December 15, 2020, Respondent's real estate broker license expired.

3. On July 14, 2022, the Department received a complaint alleging that Respondent was practicing with an expired license. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 22 REB 091 for investigation. On the same day, Respondent renewed his license.

4. On July 20, 2022, the Department contacted Respondent to request a response to the complaint.

5. On July 25, 2022, Respondent replied to the Department and stated that he renewed his license upon learning of its expiration.

6. On January 26, 2023, the Department contacted Respondent to ask how many transactions he had performed while his license was expired, as well as to inquire about Dooley Real Estate Service LLC, which appeared to be an unlicensed real estate business entity operated by Respondent.

7. On February 22, 2023, Respondent stated that he had performed 7 transactions in Wisconsin while his license was expired, and that he is the broker for Dooley Real Estate Service, LLC.

8. On August 9, 2023, Respondent informed the Department that he no longer intends to practice real estate in Wisconsin, and wishes to resolve this case by voluntarily surrendering his license. In the interest of resolving this matter, Respondent consents to entry of this Final Decision 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) and 440.19.

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of Respondent James M. Dooley's real estate broker license (47869-90) is ACCEPTED.


3. In the event Respondent James M. Dooley petitions the Board for reinstatement as a real estate broker, or applies for any other credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the COSTS of this matter in the amount of \$927 before any petition or application for a credential will be considered by the applicable board or Department.

4. In the event Respondent James M. Dooley petitions the Board for reinstatement of his credential, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable. Further, the Board may re-open case number 22 REB 091 for further consideration.

5. 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

RECEIVED

OCT 16 2023

DIVISION OF LEGAL SERVICES & COMPLIANCE
DEPT. OF SAFETY & PROFESSIONAL SERVICES

STATE OF WISCONSIN
BEFORE THE REAL ESTATE EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

JAMES M. DOOLEY,
RESPONDENT.

STIPULATION

ORDER 0008391

Division of Legal Services and Compliance Case No. 22 REB 091

Respondent James M. Dooley 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.

James M. Dooley
James M. Dooley, Respondent
Apple Valley, MN 55124
Credential No. 47869-90

10/8/2023
Date

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

10/16/2023
Date