

**REAL ESTATE EXAMINING BOARD
MEETING MINUTES
DECEMBER 3, 2015**

PRESENT: Stephen Beers, Marie Hetzer, Brian McGrath, Michael Mulleady, Randal Savaglio (*via GoToMeeting*), Dennis Pierce

EXCUSED: Kitty Jedwabny

STAFF: Brittany Lewin - Executive Director; Nilajah Hardin - Bureau Assistant; Sharon Henes - Administrative Rules Coordinator; and Other Department Staff

CALL TO ORDER

Stephen Beers, Chair, called the meeting to order at 10:03 a.m. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Under Closed Session J. 2). Proposed Stipulation(s), Final Decision(s) and Order(s): Add Item "h. 14 REB 060 – Robert F. Peeple"*

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF THE MINUTES OF OCTOBER 15, 2015

MOTION: Marie Hetzer moved, seconded by Michael Mulleady, to approve the minutes of October 15, 2015 as published. Motion carried unanimously.

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

REEB 24 Relating to Felony as Grounds for Revocation

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to designate the Chair to approve the Adoption Order for Clearinghouse Rule 15-051 Relating to Felony as Grounds for Revocation. Motion carried unanimously.

CLOSED SESSION

MOTION: Michael Mulleady moved seconded by Marie Hetzer, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Stephen Beers read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Stephen Beers-yes; Marie Hetzer-yes; Brian McGrath-yes; Michael Mulleady-yes; Dennis Pierce-yes; Randal Savaglio-yes. Motion carried unanimously.

The meeting convened to closed session at 10:35a.m.

RECONVENE TO OPEN SESSION

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to reconvene into open session. Motion carried unanimously.

The meeting reconvened into open session at 11:42 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to affirm all votes made in Closed Session. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**Administrative Warnings**

MOTION: Marie Hetzer moved, seconded by Dennis Pierce, to issue an Administrative Warning in the following matters:

1. 13 REB 113 - N.C.S.
2. 14 REB 132 - R.E.S.J.
3. 14 REB 143 - S.L.
4. 14 REB 151 - J.E.M.

Motion carried unanimously.

Proposed Stipulations, Final Decisions And Orders

MOTION: Randal Savaglio moved, seconded by Marie Hetzer, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 13 REB 113 – Paul G.Stevens and MadisonFlatFeeHomes.Com, LLC
2. 13 REB 091 and 13 REB 093 – Dean Webb and Everest Realty Group, LLC
3. 14 REB 018 – William Eiseman and Realty Associates Inc.
4. 14 REB 074 – Robert L. Worth and R W Realty, Inc.
5. 14 REB 112 – Matthew A. Krasowski and Contemporary Real Estate Services, LLC
6. 14 REB 113 – LaVon M. Jensen and LMJ Associates, Inc.
7. 14 REB 134 – John W. Torgerson
8. 14 REB 060 – Robert F. Peeples

Motion carried unanimously.

Case Closings

MOTION: Michael Mulleady moved, seconded by Marie Hetzer, to close the following cases for the reasons outlined below:

1. 13 REB 042 (M.R.) – Prosecutorial Discretion (P7)
2. 13 REB 091 and 13 REB 093 (Q.E.I., M.T.P., and M.D.R.) – No Violation
3. 13 REB 091 and 13 REB 093 (M.T.P.) – Prosecutorial Discretion (P3)
4. 14 REB 120 (J.S. and P.C.R.) – No violation
5. 14 REB 151 (M.W. and H.A.W.L.L.C.) – No Violation
6. 14 REB 155 (A.E., M.R., and R.S.C.W.) – Prosecutorial Discretion (P3)
7. 14 REB 160 (J.L.E., R.S.I., and G.G.K.) – No Violation
8. 15 REB 014 (J.M.A.) – Insufficient Evidence
9. 15 REB 056 (N.S., C.O., and R.E.F.) – No Violation
10. 15 REB 067 (D.C., and C.M.I.) – No Violation

Motion carried unanimously.

Monitoring

Jason DeNoble – Requesting Full Unrestricted License

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to deny the request of Jason DeNoble for full licensure. **Reason for Denial:** The licensee has not complied with the terms of the Order (09/11/2013). The licensee needs to demonstrate successful compliance with all terms of the Order before any modifications will be granted. Motion carried unanimously.

PROPOSED FINAL DECISIONS AND ORDER(S)**Mark H Pierce, Respondent (DHA case # SPS-15-0069)(DLSC case # 13 REB 042)**

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Mark H Pierce, Respondent (DHA case # SPS-15-0069)(DLSC case # 13 REB 042). Motion carried. Recused: Marie Hetzer

(Marie Hetzer recused herself and left the room for deliberation, and voting in the matter of Mark H Pierce, Respondent (DHA case # SPS-15-0069)(DLSC case # 13 REB 042).)

ORDER(S) FIXING COSTS**Harvey J. Goldstein, Respondent (ORDER0003769)(DHA case # SPS-15-0027)(DLSC case # 15 REB 002)**

MOTION: Michael Mulleady moved, seconded by Randal Savaglio, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Harvey J. Goldstein, Respondent (ORDER0003769)(DHA case # SPS-15-0027)(DLSC case # 15 REB 002). Motion carried unanimously.

ADJOURNMENT

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:44 a.m.