

**REAL ESTATE EXAMINING BOARD  
MEETING MINUTES  
AUGUST 16, 2012**

Present: Stephen Beers, Marie Hetzer, Michael Mulleady, Randy Savaglio and Tammy Wagner

Not Present: Dennis Pierce

Staff: Berni Mattsson, Executive Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; and other Department staff

Stephen Beers, Board Chair, called the meeting to order at 10:05 a.m. A quorum of 5 members was confirmed.

**ADOPTION OF AGENDA**

**Amendments**

- Add additional information to the packet for today's meeting

**MOTION:** Mike Mulleady moved, seconded by Randy Savaglio, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Mike Mulleady moved, seconded by Marie Hetzer, to approve the minutes of May 10, 2012, as published. Motion carried unanimously.

**MOTION:** Randy Savaglio moved, seconded by Tammy Wagner, to reconstitute the RE Forms Committee as a Real Estate Forms Council and to re-appoint all current members of the RE Forms Committee to the newly constituted RE Forms Council. All materials submitted to, or actions taken by, the RE Forms Committee are considered as having been submitted to or taken by the RE Forms Council.

**MOTION:** Marie Hetzer moved, seconded by Mike Mulleady, to approve the curriculum committee's recommendation to adopt the 2013-2014 Real Estate Sales/Broker Continuing Education curriculum as included in the minutes of today's meeting. Motion carried unanimously.

**MOTION:** Mike Mulleady moved, seconded by Tammy Wagner, to delegate authority to the Department's continuing education specialist to approve continuing education and pre-license courses on behalf of the Board in consultation with the Board's liaison. Motion carried unanimously.

Stephen Beers designated Tammy Wagner as the new Continuing Education and Pre-license Course Approval Liaison.

**MOTION:** Mike Mulleady moved, seconded by Marie Hetzer, to direct the department to prepare a scope statement related to changes in REEB 12 and 25. Motion carried unanimously.

**MOTION:** Mike Mulleady moved, seconded by Tammy Wagner, to authorize publication of the Statement of Scopes related to modification of REEB 16 and 18 as included in the materials and record of today's meeting. Motion carried unanimously.

**MOTION:** Mike Mulleady moved, seconded by Marie Hetzer, to approve and adopt WB-24, as to content and form, as presented in the materials of today's meeting; and further, to authorize the Board Chair, in consultation with Board Legal Counsel, to approve the form in final format for publication. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Randy Savaglio moved, seconded by Mike Mulleady, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. 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.). Roll Call Vote: Stephen Beers - yes; Marie Hetzer - yes; Mike Mulleady - yes; Randy Savaglio - yes; and Tammy Wagner - yes. Motion carried unanimously. Open session recessed at 12:00 p.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Tammy Wagner moved, seconded by Marie Hetzer, to reconvene in open session at 2:18 p.m. Motion carried unanimously.

### **VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION**

#### **PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**MOTION:** Tammy Wagner moved, seconded by Marie Hetzer, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the following matters:

1. 09 REB 168 – Cort Howard and CMOR, LLC
2. 10 REB 059 – Darren R. Kittleson and Premier Realty Team, LLC
3. 11 REB 009 – Sean Lentz and Exsell Realty
4. 11 REB 040 – Peter G. Beckley
5. 11 REB 047 – Ryan Apitz
6. 11 REB 054 – Mary B. Johnson and Majestic Escapes, LLC
7. 11 REB 063 – Jeffrey L. Sowl
8. 11 REB 092 – Joseph A. Palmisano
9. 11 REB 099 – Dennis Midthun and Real Estate Preferred, Inc.
10. 11 REB 100 – Richard Krackow
11. 11 REB 117 – Russell L. Sommers and Hodag Property Management, LLC
12. 11 REB 122 – Melissa M. Sample
13. 12 REB 001 – Holly A. Tomlanovich
14. 12 REB 004 – Donald E. Knutson
15. 12 REB 025 – Carol J. Wright
16. 12 REB 020 – Joseph F. Bradley and Dairyland Real Estate, LLC
17. 12 REB 020 – William H. Baker

Motion carried unanimously.

### ADMINISTRATIVE WARNINGS

**MOTION:** Tammy Wagner moved, seconded by Randy Savaglio, to reverse the Board's previous decision to issue the Administrative Warning in the matter of 11 REB 080 against J.F. and to rescind issuance of same. Motion carried unanimously.

**MOTION:** Randy Savaglio moved, seconded by Tammy Wagner, to issue the Administrative Warning in the matter of 12 REB 015. Motion carried unanimously.

### CASE CLOSINGS

**MOTION:** Randy Savaglio moved, seconded by Mike Mulleady, to close the following cases according to the recommendations by the Division of Enforcement:

1. 11 REB 065 (IE)
2. 11 REB 093 (P3)
3. 11 REB 097 (P3)
4. 11 REB 102 (IE)
5. 11 REB 121 (IE)
6. 12 REB 011 (P2)
7. 12 REB 015 (P1)
8. 12 REB 025 (NV)
9. 12 REB 034 (IE)
10. 12 REB 046 (IE)

Motion carried unanimously.

### MONITORING

**MOTION:** Mike Mulleady moved, seconded by Marie Hetzer, to deny the respondent's request to remove the limitations on his license in the matter of Corey M. Tielens. The respondent may re-petition the Board after 1 year of demonstrated practice in compliance with the Board's Order and all applicable laws regulating the practice of real estate. Motion carried unanimously.

**MOTION:** Randy Savaglio moved, seconded by Tammy Wagner, to lift the suspension and modify the order as specified at the 8/16/12 meeting in the matter of Ili J. Subhan and to authorize the Board's liaison to approve the final Order on the Board's behalf. Motion carried unanimously.

**MOTION:** Tammy Wagner moved, seconded by Marie Hetzer, to deny the respondent's request to remove the limitations on his license in the matter of Michael Rowsey. The respondent may re-petition the Board after 1 year of demonstrated practice in compliance with the Board's Order and all applicable laws regulating the practice of real estate under a broker pre-approved by the Board. Motion carried unanimously.

### ADJOURNMENT

**MOTION:** Randy Savaglio moved, seconded by Mike Mulleady, to adjourn the meeting at 2:41 p.m. Motion carried unanimously.