



Tony Evers, Governor
Dan Hereth, Secretary

**TELECONFERENCE/VIRTUAL
REAL ESTATE EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Will Johnson (608) 266-2112
August 28, 2025**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

10:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of June 26, 2025 (5-7)**
- C. Introductions, Announcements, and Recognition**
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters – Discussion and Consideration**
 - 1. Department, Staff and Board Updates
 - 2. Elections, Appointment of Liaisons and Alternates, Delegation of Authorities
 - 3. Board Members – Term Expiration Dates
 - a. Berry, Jeffery K. – 7/1/2026
 - b. Kaleka, Gurmit S. – 7/1/2029
 - c. Lacy, Cathy J – 7/1/2025
 - d. Lauer, Elizabeth A. – 7/1/2026
 - e. Mays, Sonya G. – 7/1/2028
 - f. Pierce, Dennis M. – 7/1/2013
 - g. Richie, Thomas J. – 7/1/2026
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rules Matters – Discussion and Consideration (8-14)**
 - 1. Rule Drafting Discussion for REEB 24 on Conduct and Ethical Practices **(9-13)**
 - 2. Pending or possible rulemaking projects **(14)**
- H. Disciplinary Trends in Real Estate – Discussion and Consideration**
- I. Practice Considerations – Antitrust Settlement**

- J. Report and Possible Action from the Real Estate Contractual Forms Advisory Council – Discussion and Consideration
- K. Newsletter Matters – Discussion and Consideration
- L. Discussion and Consideration of Items Added After Preparation of Agenda:
 - 1. Introductions, Announcements and Recognition
 - 2. Administrative Matters
 - 3. Election of Officers
 - 4. Appointment of Liaisons and Alternates
 - 5. Delegation of Authorities
 - 6. Education and Examination Matters
 - 7. Credentialing Matters
 - 8. Practice Matters
 - 9. Legislative and Policy Matters
 - 10. Public Health Emergencies
 - 11. Administrative Rule Matters
 - 12. Liaison Reports
 - 13. Board Liaison Training and Appointment of Mentors
 - 14. Informational Items
 - 15. Division of Legal Services and Compliance (DLSC) Matters
 - 16. Presentations of Petitions for Summary Suspension
 - 17. Petitions for Designation of Hearing Examiner
 - 18. Presentation of Stipulations, Final Decisions and Orders
 - 19. Presentation of Proposed Final Decisions and Orders
 - 20. Presentation of Interim Orders
 - 21. Petitions for Re-Hearing
 - 22. Petitions for Assessments
 - 23. Petitions to Vacate Orders
 - 24. Requests for Disciplinary Proceeding Presentations
 - 25. Motions
 - 26. Petitions
 - 27. Appearances from Requests Received or Renewed
 - 28. Speaking Engagements, Travel, or Public Relation Requests, and Reports

M. Public Comments

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.).

- N. **Deliberation on Department of Legal Services and Compliance (DLSC) Matters**
 - 1. **Proposed Stipulations, Final Decisions and Orders**
 - a. 24 REB 0034 – Connie M. Brayton and Lake Country Realty Inc. **(15-21)**
 - 2. **Administrative Warnings**
 - a. 22 REB 117 – B.K. and J.K. **(22-24)**
 - b. 24 REB 0160 – B.B. and B.R.W. **(25-27)**
 - c. 24 REB 0178 – D.J.H. **(28-29)**

3. Case Closings

- a. 22 REB 076 – K.G., D.C., and E.R. **(30-38)**
- b. 23 REB 063 – M.S. **(39-42)**
- c. 23 REB 142 – R.P.A. and A.P.M.S. **(43-47)**
- d. 23 REB 188 – S.D.S. and C.R. **(48-52)**
- e. 24 REB 0051 – B.L.M. **(53-57)**
- f. 24 REB 0160 – W.W.M.S. **(58-63)**
- g. 24 REB 0175 – G.H.K. **(64-67)**
- h. 25 REB 0027 – R.W., J.V., and B.R.R. **(68-71)**

O. Deliberation on Matters Relating to Costs/Orders Fixing Costs

1. Clay D. DiCiaula (DHA Case Number SPS-23-0085/DLSC Case Number 21 REB 061) **(72-92)**

P. Deliberation of Items Added After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. DLSC Matters
4. Monitoring Matters
5. Professional Assistance Procedure (PAP) Matters
6. Petitions for Summary Suspensions
7. Petitions for Designation of Hearing Examiner
8. Proposed Stipulations, Final Decisions and Order
9. Proposed Interim Orders
10. Administrative Warnings
11. Review of Administrative Warnings
12. Proposed Final Decisions and Orders
13. Matters Relating to Costs/Orders Fixing Costs
14. Case Closings
15. Board Liaison Training
16. Petitions for Assessments and Evaluations
17. Petitions to Vacate Orders
18. Remedial Education Cases
19. Motions
20. Petitions for Re-Hearing
21. Appearances from Requests Received or Renewed

Q. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

R. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

S. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: OCTOBER 30, 2025

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**HYBRID (IN-PERSON/VIRTUAL)
REAL ESTATE EXAMINING BOARD
MEETING MINUTES
JUNE 26, 2025**

PRESENT: Gurmit Kaleka (*virtual*), Cathy Lacy, Elizabeth Lauer, Sonya Mays (*virtual*), Dennis Pierce (*virtual, arrived at 10:11 a.m.*), Thomas Richie

ABSENT: Jeffery Berry

STAFF: Will Johnson, Executive Director; Jameson Whitney, Legal Counsel; Jake Pelegrin, Administrative Rule Coordinator; Brenda Taylor, Board Services Supervisor; and Other Department Staff

CALL TO ORDER

Thomas Richie, Chairperson, called the meeting to order at 10:03 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 24, 2025

MOTION: Thomas Richie moved, seconded by Elizabeth Lauer, to approve the Minutes of April 24, 2025 as published. Motion carried unanimously.

Dennis Pierce arrived at 10:11 a.m.

ADMINISTRATIVE RULES MATTERS

Rule drafting discussion for REEB 12 on Application Requirements

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to authorize the Chair to approve the preliminary rule draft of rule REEB 12 relating to Application Requirements for posting for Economic Impact Analysis comments and submittal to the Clearinghouse. Motion carried unanimously.

CLOSED SESSION

MOTION: Elizabeth Lauer moved, seconded by Dennis Pierce, 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.). Thomas Richie, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll

Call Vote: Gurmit Kaleka-yes; Cathy Lacy -yes; Elizabeth Lauer-yes; Sonya Mays-yes; Dennis Pierce-yes; and Thomas Richie-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:56 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:
21 REB 093 – Cary Cybul and Results Realty USA, LLC
21 REB 093 – Casey Cybul
22 REB 039 – Michael Coke and Terra Firma Realty, Inc.
23 REB 091 – Michael Poe
23 REB 163 – David Arndt and Grizzly Financial, LLC
24 REB 0176 – Jean-Phillipe Buanton-Mendoza
Motion carried unanimously.

Administrative Warnings

24 REB 0180 – M.P.Z.T.

MOTION: Elizabeth Lauer moved, seconded by Cathy Lacy, to issue an Administrative Warning in the matter of M.P.Z.T., DLSC Case Number 24 REB 0180. Motion carried unanimously.

Case Closings

MOTION: Cathy Lacy moved, seconded by Thomas Richie, to close the following DLSC Cases for the reasons outlined below:
22 REB 090 – P.O. and O.C.I. – Prosecutorial Discretion (P1)
23 REB 091 – I.R.E. – Lack of Jurisdiction (L2)
23 REB 055 – C.L. and S.D.H. – Prosecutorial Discretion (P2)
24 REB 0031 – M.B., R.C.S. and B.R.R.I. - No Violation
Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Thomas Richie moved, seconded by Cathy Lacy, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 11:11 a.m.

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

MOTION: Thomas Richie moved, seconded by Cathy Lacy, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

ADJOURNMENT

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 11:13 a.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator		2) Date when request submitted: 8/15/25 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>										
3) Name of Board, Committee, Council, Sections: Real Estate Examining Board												
4) Meeting Date: 8/28/25	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Rule drafting discussion for REEB 24 on Conduct and Ethical Practices 2. Pending or possible rulemaking projects										
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		9) Name of Case Advisor(s), if required: N/A									
10) Describe the issue and action that should be addressed: Attachments: -Prelim rule draft for REEB 24 on Conduct and Ethical Practices -Rule Projects Chart												
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;"> 11) <i>Jake Pelegrin</i> </td> <td style="width: 40%; border: none; text-align: right;"> Authorization 8/15/25 </td> </tr> <tr> <td style="border: none;"> <hr/> Signature of person making this request </td> <td style="border: none; text-align: right;"> <hr/> Date </td> </tr> <tr> <td style="border: none;"> <hr/> Supervisor (if required) </td> <td style="border: none; text-align: right;"> <hr/> Date </td> </tr> <tr> <td colspan="2" style="border: none;"> <hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) </td> <td style="border: none; text-align: right;"> <hr/> Date </td> </tr> </table>				11) <i>Jake Pelegrin</i>	Authorization 8/15/25	<hr/> Signature of person making this request	<hr/> Date	<hr/> Supervisor (if required)	<hr/> Date	<hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda)		<hr/> Date
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Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.												

STATE OF WISCONSIN
REAL ESTATE EXAMINING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	REAL ESTATE EXAMINING BOARD
REAL ESTATE EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Real Estate Examining Board to **repeal** REEB 24.07 (3); and to **amend** REEB 24.07 (1) (c), 24.075 (3) (intro.), and 24.12 (2) relating to Conduct and Ethical Practices.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Section 452.07 (1), Stats.

Statutory authority: Sections 15.08 (5) (b), 227.11 (2) (a), and 452.07 (1), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., states that each examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., states that an agency “may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 452.07 (1), Stats.: “The board shall promulgate rules for the guidance of the real estate profession and define professional conduct and unethical practice.”

Related statute or rule: None.

Plain language analysis: The objective of the proposed rule is to update and clarify provisions relating to conduct for real estate licensees. The Board has identified the need to clarify provisions covering disclosure duties due to stakeholder confusion and will make other updates deemed necessary in chapter REEB 24. Wisconsin Administrative Code chapter REEB 24 covers conduct and ethical practices for real estate licensees. The Board has identified the need to review the chapter and propose changes to update and

clarify provisions covering disclosure duties and to make other updates deemed necessary.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Comparison with rules in adjacent states:

Illinois: In Illinois, licensees representing clients have the duty to disclose to the client material facts concerning the transaction of which the licensee has actual knowledge, unless that information is confidential information. Material facts do not include the following when located on or related to real estate that is not the subject of the transaction: (i) physical conditions that do not have a substantial adverse effect on the value of the real estate, (ii) fact situations, or (iii) occurrences and acts at the property.

No cause of action shall arise against a licensee for the failure to disclose: (ii) that the property was the site of an act or occurrence that had no effect on the physical condition of the property or its environment or the structures located thereon; (iii) fact situations on property that is not the subject of the transaction; or (iv) physical conditions located on property that is not the subject of the transaction that do not have a substantial adverse effect on the value of the real estate that is the subject of the transaction.

Licensees must act in a manner consistent with promoting the client's best interests as opposed to a licensee's or any other person's self-interest. Licensees must treat all customers honestly and must not negligently or knowingly give them false information. A licensee engaged by a seller client shall timely disclose to customers who are prospective buyers all latent material adverse facts pertaining to the physical condition of the property that are actually known by the licensee and that could not be discovered by a reasonably diligent inspection of the property by the customer.

Real estate licensees may be disciplined for any of the following, among others:

- (10) Making any substantial misrepresentation or untruthful advertising.
- (11) Making any false promises of a character likely to influence, persuade, or induce.
- (12) Pursuing a continued and flagrant course of misrepresentation or the making of false promises through licensees, employees, agents, advertising, or otherwise.
- (21) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public, including, but not limited to, conduct set forth in rules adopted by the Department.
- (25) Any other conduct, whether of the same or a different character from that specified in this Section, that constitutes dishonest dealing [225 ILCS 454].

Iowa: In Iowa, all transfers of real estate require the seller to complete a form which includes the disclosure of all known conditions materially affecting the property. It must be signed by the seller and the buyer. The licensee is responsible for ensuring the seller fills out and signs the form, and responsible for providing it to the buyer [IA 193E (543B)].

Michigan:

In Michigan, all transfers of real estate require the seller to complete a form which includes the disclosure of all known conditions materially affecting the property. It must be signed by the seller and the buyer. The licensee is responsible for ensuring the seller fills out and signs the form, and responsible for providing it to the buyer.

The transferor or his or her agent is not liable for any error, inaccuracy, or omission in any information delivered if the error, inaccuracy, or omission was not within the personal knowledge of the transferor, or was based entirely on information provided by public agencies or inspectors, and ordinary care was exercised in transmitting the information. It is not a violation if the transferor fails to disclose information that could be obtained only through inspection or observation of inaccessible portions of real estate or could be discovered only by a person with expertise in a science or trade beyond the knowledge of the transferor.

A licensee that is acting under the terms of a service provision agreement owes, at a minimum, the following duties to a client:

- (a) The exercise of reasonable care and skill in representing the client and carrying out the responsibilities of the agency relationship.
- (c) Loyalty to the interest of the client.
- (e) Referral of the client to other licensed professionals for expert advice related to material matters that are not within the expertise of the broker [MCL 339.2512d, 565.951-966].

Minnesota: A licensee shall disclose to a prospective purchaser all material facts of which the licensee is aware, which could adversely and significantly affect an ordinary purchaser's use or enjoyment of the property, or any intended use of the property of which the licensee is aware.

A licensee is not required to disclose information relating to the physical condition of the property or any other information relating to the real estate transaction, if a written report that discloses the information has been prepared by a qualified third party and provided to the person. "Qualified third party" means a federal, state, or local governmental agency, or any person whom the broker, salesperson, or a party to the real estate transaction reasonably believes has the expertise necessary to meet the industry standards of practice for the type of inspection or investigation that has been conducted by the third party in order to prepare the written report and who is acceptable to the person to whom the disclosure is being made.

A licensee shall disclose to the parties to a real estate transaction any facts known by the broker or salesperson that contradict any information included in a written report if a copy of the report is provided to the licensee [Minnesota Statutes 2023, section 82].

Summary of factual data and analytical methodologies: The proposed rule was developed by reviewing the provisions of ch. REEB 24, specifically s. REEB 24.07, and determining what changes the Board wished to make.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis: The proposed rules will be posted for 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis: The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

Effect on small business: These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. REEB 24.07 (1) (c) is amended to read:

REEB 24.07 (1) (c) *Other licensees.* Licensees, other than listing ~~frms~~agents, shall inspect the real estate as required by sub. (1) ~~prior to or during a showing of the property, unless the licensee is not given access for a showing.~~ prior to submitting a written proposal, unless the licensee is not given access to the real estate or is instructed by a party to submit a written proposal prior to being able to access the real estate, in which case the licensee shall inspect the real estate promptly after submitting the written proposal if the licensee is given access.

SECTION 2. REEB 24.07 (3) is repealed.

SECTION 3. REEB 24.075 (3) (intro.) is amended to read:

REEB 24.075 (3) Condition the sale of vacant real estate owned by the licensee or whose sale is effectively controlled by the licensee upon the buyer's agreement to employ one or more specific builders to make improvements on the real estate unless one or more of the following apply:

SECTION 4. REEB 24.12 (2) is amended to read:

REEB 24.12 (2) If a licensee is providing brokerage services in a transaction and the licensee has knowledge that the property is subject to a right of first refusal, the licensee shall disclose the right of first refusal, in writing and in a timely manner, to all persons seeking to acquire an interest subject to the right of first refusal. After disclosure of the right of first refusal to a party seeking to acquire an interest in the property, the licensee may deliver a copy of that party's offer to purchase, exchange agreement, option, or lease to the party holding the right of first refusal. Licensees are not responsible for implementation of any right of first refusal terms.

SECTION 5. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

Real Estate Examining Board
Rule Project Chart

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Current Step	Next Step
	076-24	1/22/2027	REEB 12	Application Requirements	Clearinghouse review of preliminary rule draft.	Hold public hearing, discuss Clearinghouse comments and public comments.
	077-24	1/22/2027	REEB 24	Conduct and Ethical Practices	Rule drafting.	Board approval of preliminary rule draft.