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## **COURT OF APPEALS UPHOLDS REVOCATION OF ARCHITECT'S LICENSE**

The Board of Examiners of Architects announced today that on March 2, 2006, the Court of Appeals of Ohio, Tenth Appellate District, affirmed the decision of the Franklin County, Court of Common Pleas to affirm the Board's order to revoke the certificate of qualification to practice architecture for **Mark A. Nye, Cert. No. 7971**. Nye, of Columbus, Ohio is the owner of the firm, **CM Architects, Inc.**

This matter began as a civil suit when the Redeemer Lutheran Church of Columbus, Ohio filed suit against architect, Mark A. Nye in 2000 for allegations of fraud, deception and negligence. Mr. Nye had been contracted by the church to provide architectural and construction services for the renovation of the church in 1999.

The civil suit between the church and Mr. Nye was settled whereby Mr. Nye, in a settlement agreement, admitted to the truth of the allegations contained in the church's original complaints filed with the Franklin County, Court of Common Pleas in 2000.

The settlement agreement containing Mr. Nye's admissions was then incorporated into an agreed judgment entry in December 2002 and made an official part of the record whereby judgment was rendered in favor of the Redeemer Lutheran Church against Mark A. Nye in the amount of \$110,000.

In August 2003, the Board received a formal written complaint against Mr. Nye from the Redeemer Lutheran Church alleging that Mr. Nye had made no attempt to pay the \$110,000 judgment and had engaged in a pattern of fraud, deceit and misconduct in the performance of his services as an architect.



The Board began an investigation into this matter which led to Mr. Nye being charged with violating Ohio Revised Code sections 4703.15 (A) (2), (3) and Ohio Administrative Code section 4703-3-07 (E) (3).

The Board, through its hearing officer, conducted an administrative hearing in this matter over a two-day period beginning on June 3, 2004 and concluding on July 13, 2004. On November 19, 2004, the Board approved and adopted the findings of fact, conclusions of law and summary of conclusions of the hearing officer, but modified the recommendation for disciplinary action to the extent that it revoked Mr. Nye's certificate of qualification to practice architecture.

On December 6, 2004, Mr. Nye appealed the Board's revocation order to the Franklin County, Court of Common Pleas; however, a stay of revocation was never requested of the Court by Mr. Nye. On July 29, 2005, the Franklin County, Court of Common Pleas affirmed the Board's revocation order. Mr. Nye appealed that decision to Ohio's Tenth District, Court of Appeals on August 12, 2005.

On March 2, 2006, the Court of Appeals of Ohio, Tenth Appellate District, affirmed the decision of the Franklin County Court of Common Pleas, thereby upholding the Board's original order to revoke Mr. Nye's license to practice as an architect in the state of Ohio.

As a result of this disciplinary action, Mark A. Nye has been ordered to cease and desist any further use of the aforementioned designations, performing any of the aforementioned work, or to in any way hold himself out to be qualified and permitted to practice as an "Architect" in the state of Ohio.

The use of any advertisements, letterhead, business cards, signs, or other materials which improperly portray Mark A. Nye as an "Architect" should be stopped. The Board will notify NCARB, AIA chapters, state and local building departments and local newspapers of the action taken against Mr. Nye.

The Board, which was formed in 1931 by the State Legislature, is charged with enforcing the laws and rules regarding the practice of architecture, and to protect the health, safety and welfare of Ohio's citizens.