

October 2005- November 2007 Enforcement Actions

The following cases are final results of investigative matters resolved between November 2005 and November 2007, where an official finding was determined, a settlement agreement was entered into, a warning letter was issued or compliance was otherwise obtained.

Each case gives a brief description of the matter and lists the appropriate sections of Chapter 4703 allegedly violated. * **Only the names of those where an official finding was determined or those who entered into settlement agreements for violations other than administrative firm registration matters are published.**

Every effort is made to ensure that the following information is correct. Prior to making any decision based on this information, please contact the Board's Investigator, Chad B. Holland at (614) 466-1476 or via e-mail at chad.holland@arla.state.oh.us

File #03-19

Mark A. Nye, Cert. No. 7971

CM Architects, Inc.

Columbus, Ohio

An administrative hearing was held regarding Mr. Nye's professional conduct on the design and renovation of a church. Nye was found to have violated Ohio Revised Code sections 4703.15 (A) (2) and Ohio Administrative Code section 4703-3-07 (E) (3) which state that an architect shall not engage in conduct involving fraud or deceit. Due to Mr. Nye's actions, the Board *revoked* his license to practice architecture in Ohio.

Nye appealed the Board's revocation order to the Franklin County, Court of Common Pleas which affirmed the Board's decision. He then appealed that decision to the Court of Appeals, Tenth Appellate District, which also ruled in favor of the Board, therefore upholding the Board's revocation of Mr. Nye's license.

File #05-20

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This individual forwarded an architectural firm's business telephone number to his personal telephone giving an appearance to the public that the firm was still a legitimate architectural firm, despite the fact that the sole architect of the firm passed away. This matter was settled whereby the individual agreed to disconnect his telephone number and not engage in the practice of architecture.

File #05-21

Kevin S. Hoffman, Cert. No. 9343

New Albany, Ohio

After an investigation, the Board determined that Mr. Hoffman allegedly violated Ohio Revised Code sections 4703.15 (A) (2), (3) and 4703.18 (H) (L) and Ohio Administrative Code sections 4703-3-01 (A), 4703-3-02 (A), 4703-3-07 (D) (3) and 4703-3-07 (E) (3) for being found guilty in a court of law of perpetrating a fraud against a client. He was also found by the Board to have not possessed a current firm certificate of authorization

This matter was amicably resolved whereby Mr. Hoffman entered into a settlement agreement with the terms that he be placed under probation, reimburse his client for all monies owed, complete the NCARB professional conduct monograph and accept a letter of reprimand.

File #05-24

Alvah P. Breitweiser, Cert. No 6970

Ft. Myers, Florida

After an administrative hearing, Mr. Breitweiser was found to have violated Ohio Revised Code sections 4703.15 (A) (2), (3) and Ohio Administrative Code sections 4703-3-07 (D) (1), (3) and 4703-3-07 (E) (3) for being convicted of bank fraud, which is a felony violation and for engaging in plan stamping and aiding & abetting an unlicensed person in the practice of architecture for a project in Florida. Due to Mr. Breitweiser's actions, the Board *revoked* his license to practice architecture in Ohio.

File #05-36

David E. Hawkins, Cert. No. 7945

Columbus, Ohio

After an investigation, the Board determined that Mr. Hawkins allegedly had provided architectural services with a license that had been lapsed for over 4 years, which is a violation of Ohio Revised Code sections 4703.06 and 4703.18 (A). The Board reinstated Mr. Hawkins' license only after he entered into a *settlement agreement* and successfully passed (3) NCARB health, safety and welfare *monographs*.

File #05-37

Mark T. Yager, Cert. No. 9563

Y Architects, LLC

Cleveland, Ohio

After an administrative hearing, Mr. Yager was found to have violated Ohio Revised Code sections 4703.15 (A) (3) and 4703.18 (H), (L) and Ohio Administrative Code sections 4703-3-02 (A) and 4703-3-07 (D) (3) for his conduct in refusing to cooperate with the Board's laws and rules which required him to obtain a firm certificate of authorization. Due to Mr. Yager's actions, the Board *revoked* his license to practice architecture in Ohio.

File #05-42**Raymond V. Michiels, Jr., Cert. No. 12467****Kennesaw, Georgia**

After an administrative hearing, Mr. Michiels was found to have violated Ohio Revised Code sections 4703.15 (A) (3), (5) and 4703.18 (H), (L) and Ohio Administrative Code sections 4703-3-01 (C), 4703-3-02 (A), 4703-3-07 (D) (3) , 4703-3-07 (E) (1) and 4703-3-09 (A) for engaging in plan stamping and aiding & abetting an unlicensed person in the practice of architecture on at least (4) four known projects, and for not possessing a written contract or a firm certificate of authorization. Due to Mr. Michiels' actions, the Board *revoked* his license to practice architecture in Ohio.

File #05-43**William J. Mitchell****WJM Designs****Acworth, Georgia**

After an investigation, Mr. Mitchell was found to have allegedly contracted for, and provided architectural design services through an Ohio architect without first obtaining a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H). This matter was amicably resolved whereby Mr. Mitchell entered into a *settlement agreement* and agreed to cease and desist from such practices.

File #05-44**John D. Becker, Cert. No. 7651****Cincinnati, Ohio**

Mr. Becker allegedly provided architectural services with a license that had been lapsed since 1997, which is primarily a violation of Ohio Revised Code sections 4703.06, 4703.15 (A) (3) and 4703.18 (A). The Board reinstated Mr. Becker's license only after he accepted a Letter of Reprimand, successfully passed the NCARB Professional Conduct Monograph and entered into a *settlement agreement* whereby he agreed to maintain a valid license.

File #05-45

This Ohio architect who co-owns an interior design firm allegedly violated Ohio Revised Code section 4703.18, which prohibits non-architectural firms from advertising, offering or providing architectural services without a Certificate of Authorization. This firm was advertising via its website and marketing materials that it provided architectural services. This matter was settled amicably whereby the architect agreed to revise his website and marketing material.

File #05-46

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was holding out several of its unlicensed employees as an "Architectural Technician" and "Intern Architect". This matter was amicably resolved whereby the firm agreed to delete any reference to these terms for its unlicensed personnel.

File #05-48

After an investigation, the Board determined that this architect allegedly had provided or offered to provide architectural services since January 2005 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L). The Board approved the architect's application for Certificate of Authorization only after he entered into a *settlement agreement*, whereby he paid a *fine of \$375*.

File #05-49

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a warning letter was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices.

File #05-50

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby the architect agreed to voluntarily surrender his Ohio license.

File #05-51

After an investigation, the Board determined that this architect allegedly provided or offered to provide architectural services since 1990 through a firm that did not possess a current Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L). The Board approved the architect's application for Certificate of Authorization only after he entered into a *settlement agreement*, whereby he paid a *fine of \$400*, accepted a letter of reprimand and successfully passed the NCARB Professional Conduct *monograph*.

File #05-52

This non-architectural firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Via its website, this firm allegedly advertised itself as providing architectural services. This matter was amicably resolved whereby the company agreed to revise the language on its website.

File #05-53

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a warning letter was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices.

File #05-54

**Joseph L. Myers, Cert. No. 7968
Willoughby, Ohio**

After an investigation, Mr. Myers was initially found by the Ohio Board of Registration for Professional Engineers to have allegedly offered and provided engineering services without a license. Additionally, the Architect Board found that Mr. Myers signed and sealed mechanical, electrical, hvac and plumbing drawings prepared by non-licensed engineering consultants, which is primarily a violation of O.A.C. 4703-3-07 (E) (1). This matter was resolved whereby Mr. Myers entered into a *settlement agreement*, paid a *fine of \$2,000*, accepted a *letter of reprimand* and successfully passed the NCARB Professional Conduct *monograph*.

File #05-55

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices.

File #05-56

**John R. Hause, Cert. No. 11670
Clearwater, Florida**

After an investigation, Mr. Hause was found to have allegedly violated O.R.C. sections 4703.15 (A) (3), (5) and O.A.C. sections 4703-3-01 (C), 4703-3-07 (E) (1), 4703-3-07 (D) (3) and 4703-3-09 for reviewing, signing and sealing construction documents through a firm which was not licensed to provide and/or offer architectural services and for providing architectural services without a written contract between himself and his client. This matter was amicably resolved whereby Mr. Hause entered into a *settlement agreement* whereby he agreed to pay a *fine of \$1,000*, accept a *letter of reprimand* and successfully complete the NCARB Professional Conduct *monograph*.

File #05-57

**David Howse
4Dzines, LLC
Marietta, Georgia**

After an investigation, Mr. Howse was found to have allegedly contracted for, and provided architectural design services through an Ohio architect without first obtaining a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H). This matter was amicably resolved whereby Mr. Howse entered into a *settlement agreement* and agreed to cease and desist from such practices.

File #06-01**Norman K. Wiebusch, Cert. No. 10501****Cleveland, Ohio**

After an investigation, the Board determined that Mr. Wiebusch allegedly had provided or offered to provide architectural services with a license that had been lapsed since December 1997, which is primarily a violation of Ohio Revised Code sections 4703.06 and 4703.18 (A). The Board reinstated Mr. Wiebusch's license only after he entered into a *settlement agreement*, whereby he agreed to pay a *fine of \$1,000*, accept a letter of reprimand and successfully pass the NCARB Professional Conduct *monograph*.

File #06-02

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of an "Intern Architect" via advertisements in local AIA newsletters. This matter was amicably resolved whereby the architect agreed to delete any reference to the term "Intern Architect".

File #06-04

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices.

File #06-05**Lisa Sandlin****Lisa Sandlin Design****Hamilton, Ohio**

After an investigation, Ms. Sandlin allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Ms. Sandlin, via company business cards, allegedly advertised the provision of "Residential Architecture" and "Architectural Drawings" as part of her services. This matter was amicably resolved whereby she entered into a *settlement agreement* and agreed to revise her business cards.

File #06-06**John H. Corak****Architectural Designs by John H. Corak****Grove City, Ohio**

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Via his website, Mr. Corak allegedly advertised his firm as a full service architectural firm offering custom architectural services. This matter was amicably resolved whereby Mr. Corak entered into a settlement agreement and agreed to take down his firm's website.

File #06-07

Brian Pickard
pickard-design
Columbus, Ohio

After an investigation, Mr. Pickard allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Pickard, via a company website, allegedly advertised the provision of "Architectural Design Services" as part of his services. This matter was amicably resolved whereby he entered into a *settlement agreement* and agreed to revise his company website.

File #06-10

This Ohio architect filed an application for a firm Certificate of Authorization in 2006, even though his firm had been incorporated and allegedly providing architectural services since 2000. It is a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This for any firm to provide or offer architectural services without first obtaining a Certificate of Authorization. This matter was settled amicably whereby the architect was issued a warning letter and advised the Board could fine him for his actions.

File #06-13

Kenneth C. Porter
The Design Depot
North Kingsville, Ohio

After an investigation, Mr. Porter allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Porter, via a company website, allegedly advertised the provision of "Architectural Design Services" as part of his services. This matter was amicably resolved whereby he entered into a *settlement agreement* and agreed to revise his company website.

File #06-14

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since May 1993 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, completed the NCARB Professional Monograph, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-15**John A. Susnik****Sunray Window Films, LLC****Independence, Ohio**

After an investigation, Mr. Susnik allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Susnik, via his company business cards, allegedly advertised the provision of "Architectural Design" services as part of his services. This matter was amicably resolved whereby he entered into a *settlement agreement* and agreed to revise his company business cards.

File #06-16**James R. Glennon****Architectural Design & Imaging, Inc.****Parma, Ohio**

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. Mr. Glennon registered a company with the Ohio Secretary of State under the name, "Architectural Design & Imaging, Inc." This matter was amicably resolved whereby he entered into a *settlement agreement* and agreed change the name of the firm.

File #06-17**Derrick S. Tarver****Cincinnati, Ohio**

This non-architect allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A), which prohibit non-architects from advertising, offering or providing architectural services. Mr. Tarver allegedly altered and revised residential construction drawings originally authored by an Ohio architect and submitted the revised drawings still bearing the architect's seal without the architect's knowledge or permission. This matter was amicably resolved whereby he entered into a settlement agreement and agreed to refrain from such practices in the future.

File #06-19

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since March 2004 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, completed the NCARB Professional Monograph, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-21

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since December 2005 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #06-22

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-23

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since September 2002 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, completed the NCARB Professional Monograph, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-24

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, completed the NCARB Professional Monograph, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-25

After an investigation, an Ohio engineering firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This firm allegedly advertised the provision of "Architectural Services" as part of his services. This matter was amicably resolved whereby the firm agreed to revise its company website.

File #06-27

After an investigation, the Board determined that this Ohio architect allegedly provided or offered to provide architectural services without utilizing a written contract for such services, which is a violation of O.A.C. 4703-3-09 (A). A *warning letter* was issued to the architect reminding him to use written contracts in the future.

File #06-28

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This individual registered a company with the Ohio Secretary of State using the word "Architect" in the name. This matter was amicably resolved whereby he was issued a warning letter and agreed to dissolve the company until he becomes licensed as an architect.

File #06-30

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This individual allegedly advertised via their company letterhead, the terminology, "Architectural Solutions". This matter was amicably resolved whereby the individual agreed to revise its company letterhead.

File #06-32

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-33

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since February 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #06-34

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000*.

File #06-35

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since November 2004 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-36

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since January 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #06-37

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since May 2005 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-38

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since February 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #06-39

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since January 2003 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-40

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-42

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since February 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #06-44

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since February 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #06-46

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since March 2000 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-47

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since June 1999 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for her firm.

File #06-49

An Ohio architect was found to have allegedly provided or offered to provide architectural services without using a written contract between him and his client, which is a violation of O.A.C. 4703-3-09. This matter was resolved whereby a *warning letter* was issued to the architect reminding him to utilize written contracts in the future.

File #06-50

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-51

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since June 1997 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #06-53

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since September 2005 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for her firm.

File #06-55

**Mary E. McDonnell, Cert. No. 9902
Canfield, Ohio**

After an investigation, the Board determined that Ms. McDonnell allegedly had submitted incorrect, improper and unauthorized expense reports and entered fictitious customer names into her employer's computers. The total financial loss to her employer caused by Ms. McDonnell's actions was approximately \$85,851.

Due to Ms. McDonnell's improper actions, she violated Ohio Revised Code section 4703.15 (A) (3) and Ohio Administrative Code section 4703-3-07 (D) (3) for engaging in misconduct in the practice of architecture and for failing to comply with the Board's laws and rules. This matter was resolved whereby Ms. McDonnell entered into a *settlement agreement*, and accepted a (5) five-year suspension of her license to practice architecture.

File #07-01

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This matter was amicably resolved whereby the individual agreed to not renew his name under the heading of "architects" in his local telephone directory.

File #07-02

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This matter was amicably resolved whereby the individual agreed to not offer or advertise the provision of "forensic architecture".

File #07-03

This non-architect allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This matter was amicably resolved whereby the individual agreed to use the marketing phrase, "architectural design integrity".

File #07-04

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of an "architectural designer" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to the term "architectural designer".

File #07-05

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of an "architectural intern / architectural graduate" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to such terms.

File #07-06

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of a "graduate architect" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to such terms.

File #07-07

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of a "graduate architect" via their company website. This matter was amicably resolved whereby the architect agreed to delete any reference to such terms.

File #07-08

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of an "architect" via AIA forums whereby professional registration was not requirement. This matter was amicably resolved whereby the architect admitted than an error was made and the ad was removed.

File #07-09

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of an "architectural intern" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to such term.

File #07-10

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of an "architectural designer" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to such term.

File #07-12

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since March 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-13

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since October 2003 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-14

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since December 2004 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #07-17

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since January 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-18

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since October 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-19

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since August 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-20

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since January 1998 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for her firm.

File #07-21

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since September 2003 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect accepted a *fine of \$325*.

File #07-22

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since November 2003 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000*.

File #07-24

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of a "graduate architect" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to such term.

File #07-25

This Ohio architect and architectural firm allegedly violated Ohio Revised Code sections 4703.06 and 4703.32 (A) which prohibits non-architects and landscape architects from assuming title, abbreviation or words to imply that he or she is an architect or landscape architect. This firm allegedly was marketing and using the job titles "landscape architectural professional", "senior architectural professional" and "architectural project manager" for its non-licensed employees. This matter was amicably resolved whereby the architect agreed to delete any reference to such job titles.

File #07-27

These non-architects allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. These individuals promoted and marketed via their company website that their firm was a registered Ohio architectural firm. This matter was amicably resolved whereby the individuals agreed to remove any reference to being an Ohio architectural firm from their company website.

File #07-28

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of a "graduate architect" or "intern architect" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to such term.

File #07-29

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This firm allegedly was soliciting the services of an "architectural designer" via AIA forums. This matter was amicably resolved whereby the individual agreed to delete the job posting.

File #07-31

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices.

File #07-32

This Ohio architect and architectural firm allegedly violated Ohio Revised Code section 4703.06, which prohibits non-architects from assuming title, abbreviation or words to imply that he or she is an architect or registered architect. This firm allegedly was soliciting the services of an "intern architect" via advertisements in AIA forums. This matter was amicably resolved whereby the architect agreed to delete any reference to such term.

File #07-34

After an investigation, this Ohio architect allegedly violated Ohio Revised Code section 4703.18 (E) for allegedly engaging in the practice of engineering on a project that was not incident to the practice of architecture. This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules regarding incidental practice.

File #07-36

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since June 2003 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-37

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since September 2000 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-39

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices.

File #07-42

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since January 1999 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement and accepted a fine of \$1,000*.

File #07-43

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a current Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect accepted a *fine of \$300* and obtained a certificate of authorization for his firm.

File #07-44

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement* and accepted a *fine of \$1,000*.

File #07-45

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This individual allegedly was holding himself out as a "project architect" via his firm's website. This matter was amicably resolved whereby the individual agreed to delete any reference to being an "architect".

File #07-46

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since June 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-47

An Ohio architect was found to have allegedly violated the laws and rules of another state in which he was licensed to practice architecture in, which is a violation of O.A.C. 4703-3-07 (D) (3). This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules in any jurisdiction where he practices.

File #07-49**Randall J. Gordon, Cert. No. 4216
Shaker Heights, Ohio**

After an investigation, the Board determined that Randall J. Gordon on or about May 2007 pleaded guilty in the Lorain County Court of Common Pleas to felony charges of conspiracy, tampering with records and theft in office in connection with his involvement in the construction of the Lorain County Justice Center.

Due to his alleged actions, Gordon violated Ohio Revised Code sections 4703.15 (A) (2), (3) and Ohio Administrative Code sections 4703-3-07 (D) (1), (3) and 4703-3-07 (E) (4). Rather than proceed with an administrative hearing, Gordon entered into a *settlement agreement* whereby he voluntarily agreed to *surrender* his license to practice architecture in Ohio. Mr. Gordon was sentenced to (3) three years in prison for his conduct in this matter.

File #07-50

This non-architect allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services. Per his professional resume, this individual allegedly held himself out as a “project architect” while working at Ohio architectural firms. This matter was amicably resolved whereby the individual agreed to delete any reference to being a “project architect” for Ohio architectural firms.

File #07-51

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since January 2007 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #07-53

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since June 2003 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-54

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since October 2006 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-55

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This individual allegedly was offering the provision of “residential architecture” and “light commercial services” via a company website. This matter was amicably resolved whereby the individual agreed to revise his firm’s website.

File #07-56**Brian G. Fabo, Cert. No. 11898****Cleveland, Ohio**

After an investigation, it was determined that Mr. Fabo allegedly violated Ohio Revised Code sections 4703.15 (A) (3), 4703.15 (A) (5) and Ohio Administrative Code sections 4703-3-07 (D) (3) and 4703-3-09 (A) for his alleged involvement in aiding and abetting a non-licensed person in the practice of architecture and for not possessing a written contract with his client. This matter was resolved whereby Mr. Fabo entered into a *settlement agreement* and agreed to successfully complete the NCARB professional conduct *monograph* and a (4) hour course on "*Ethics for Professional Architects*".

File #07-59

After an investigation, this Ohio architect allegedly violated Ohio Revised Code sections 4703.15 (A) (3), 4703.15 (A) (5) and Ohio Administrative Code sections 4703-3-07 (E) (1) and 4703-3-09 (A) for his alleged involvement in aiding and abetting non-licensed persons in the practice of architecture and for signing and sealing construction documents which he did not have direct professional knowledge and direct supervisory control of and for not possessing a written contract with his client. This matter was resolved whereby a *warning letter* was issued to the architect reminding him to be more cognizant of the laws & rules regarding the practice of architecture.

File #07-62

This non-architect allegedly violated Ohio Revised Code sections 4703.06 and 4703.18 (A) which prohibit non-architects from advertising, offering or providing architectural services. This individual was being represented as the "school architect" for a local school district when he was actually an Ohio professional engineer. This matter was amicably resolved whereby the individual agreed to delete any reference to being "school architect".

File #07-69

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since May 2004 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-68

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since June 2007 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000*.

File #07-70

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since May 2004 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000*.

File #07-71

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since February 2004 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$500* and obtained a certificate of authorization for his firm.

File #07-72

After an investigation, the Board determined that this Ohio architect allegedly had provided or offered to provide architectural services since May 2004 through a firm that did not possess a Certificate of Authorization, which is primarily a violation of Ohio Revised Code sections 4703.18 (H), (L) and Ohio Administrative Code section 4703-3-02 (A). This matter was resolved whereby the architect entered into a *settlement agreement*, accepted a *fine of \$1,000* and obtained a certificate of authorization for his firm.

File #07-78

This non-architect and firm allegedly violated Ohio Revised Code sections 4703.06, 4703.18 (A) and 4703.18 (H), which prohibit non-architects and non-architectural firms from advertising, offering or providing architectural services. This firm allegedly was claiming via their company website that they had "on-staff architects" when they did not. This matter was amicably resolved whereby the firm agreed to revise their website and delete any reference to architects.

