

# OHIO ARCHITECTS BOARD

IN THE MATTER OF: : File No. 2011-18  
: :  
Roland P. Smith, Cert. No. 12696 : :  
P. O. Box 24 : :  
College Corner, Ohio 45003 : :

## SETTLEMENT AGREEMENT

1. This agreement is made between Roland P. Smith ("Smith"), and the Ohio Architects Board ("Board").
2. The above parties hereby stipulate to the jurisdiction of the Board over this matter.
3. The Board enters into this Settlement Agreement in lieu of formal proceedings based upon alleged violations of Ohio Revised Code Sections 4703.06 (A), 4703.15 (A) (3), 4703.18 (A) and Ohio Administrative Code section 4703-3-09 (A) as listed in the Notice of Opportunity letter dated May 11, 2011, hereinafter ("Notice"), sent to Smith by Amy M. Kobe, Executive Director of the Board.
4. The Board expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4703 of the Revised Code and the Ohio Administrative Code, whether occurring before or after the effective date of this agreement.
5. The parties agree that the terms of this agreement are a compromise and that the settlement agreement binds the parties hereto, their assigns and successors in interest. This agreement is not intended to be and is not deemed to be evidence of, or admission of, any violation of law on the part of Smith.
6. As a result of an investigation conducted by the Board, Smith was notified by Notice that the Board intended to determine whether or not to issue a fine, deny renewal of, reprimand, revoke or suspend his individual license to practice architecture in the State of Ohio based upon allegations that in the years 2008-2009, he held himself out as an architect and offered and provided architectural services without a written contract for the proposed Amphitheater for the Preble County Historical Society located on 7693 Swartzel Road in Eaton, Ohio after his certificate of qualification to practice architecture in Ohio had lapsed December 31, 2007.

7. Based upon the foregoing, as a full and complete settlement of this matter and in the mutual best interests of the parties, Smith and the Board hereby agree to the following terms of settlement in Case No. 2011-18:

A. Smith waives his right to an appeal and an opportunity to be heard pursuant to Chapter 119 of the Ohio Revised Code.

B. Smith will pay in full, a monetary fine of **\$1,000 / One-Thousand Dollars** to the Board **no later than August 25, 2011**. Check or money order made payable to the "Treasurer, State of Ohio".

C. Smith hereby agrees that he will not enter upon the practice of architecture in Ohio or hold himself out as an architect or his represent his firm to be an architectural firm unless he holds a current and active license to practice architecture in Ohio.

D. Smith affirms that he has read and understands the Board's current laws & rules in Ohio Revised Code Chapter 4703 and Ohio Administrative Code Chapter 4703. Laws & rules can be found on the Board's website at: [www.arc.ohio.gov](http://www.arc.ohio.gov)

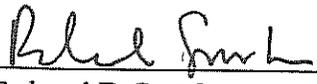
E. Smith shall obey all federal, state and local laws, and all laws and administrative rules governing the practice of architecture in the state of Ohio and any United States jurisdiction where he may hold a license to practice architecture. If Smith is convicted of any criminal offense or violation of law other than a minor misdemeanor offense within the next two (2) years, he shall report those facts and circumstances in writing to the Board within thirty (30) days from the conviction.

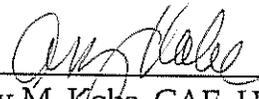
8. It is hereby understood that this agreement shall not be binding on any of the parties unless it has been signed and executed by the parties below. If the parties are unable to reach an agreement on the terms herein, this document shall become null and void and without any force or effect.

9. Smith waives any and all claims or causes of actions he may have against the State of Ohio, the Ohio Architects Board and its members, officers, employees and/or agents of either, arising out of the matters which are the subject of this settlement agreement.

10. This agreement shall be effective on the date it is approved by the Board and signed by the Board's Executive Director.

11. This document shall be considered a public record in accordance with Ohio Revised Code Section 149.43.

  
\_\_\_\_\_  
Roland P. Smith  
Cert. No. 12696

  
\_\_\_\_\_  
Amy M. Kobe, CAE, Hon. AIA  
Executive Director of the Board

Date: 8.19.11

Date: 9/20/11