

**BEFORE THE BOARD OF
EXAMINERS OF ARCHITECTS, STATE OF OHIO**

IN THE MATTER OF : DATE: April 28, 2004
ANTHONY G. DORSCH : Certified Mail: 4349 0324
Cert. No. 5349 :

ADJUDICATION ORDER

Pursuant to a meeting of the Ohio Board of Examiners of Architects, the following matter came before the Board on April 23, 2004. Members of the Board present were: Christopher J. Ewald, Richard L. Bowen, Leon Humphries, Gerald S. Hammond, and Merle M. Myers.

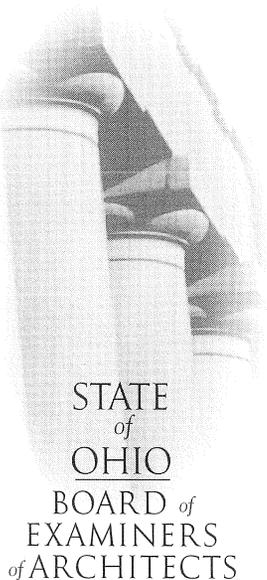
An administrative hearing was held on the charges contained in the Board's letter of January 21, 2004. At this hearing, State's exhibits (A-H) were admitted as part of the evidentiary record.

The issue to be determined by the Board was whether or not Mr. Dorsch's application for reinstatement to practice architecture should be denied, after it was determined that he had allegedly engaged in the practice of architecture after the lapse of his certificate of qualification on December 31, 1991.

FINDINGS OF FACT

Mr. Dorsch was originally licensed as an architect in Ohio on June 27, 1974. His license to practice architecture lapsed December 31, 1991.

On or about November 28, 2003, the Board was made aware from the Chief Building Official of Mahoning County that he had received in his office, two sets of construction documents for the proposed "International Buffet" project dated July 2003 and October 2003 bearing the signature and architectural seal of architect Anthony G. Dorsch. It was confirmed to the Chief Building Official that Mr. Dorsch's license had lapsed and he was advised to put a hold on the October 2003 project.



STATE
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OHIO
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EXAMINERS
of ARCHITECTS

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Mr. Dorsch was sent a certified letter by the Board on November 28, 2003 offering him an opportunity to provide a written response to this matter. Mr. Dorsch provided a written response and a completed reinstatement application dated December 4, 2003. In his written response, Mr. Dorsch admitted to practicing architecture without a license and stated that he was "ashamed, embarrassed and finished". He also included with his letter and reinstatement application, his Ohio embossing seal and rubber stamp.

The Board, at its January 16, 2004 meeting reviewed and considered Mr. Dorsch's written response and application for reinstatement and voted to propose to deny his reinstatement application. On January 21, 2004, Mr. Dorsch was sent via certified mail, notice of his right to a formal administrative hearing concerning the Board's proposal to deny his reinstatement application.

Mr. Dorsch did not request a formal administrative hearing. The Board issued a certified letter dated March 9, 2004 notifying Mr. Dorsch of the April 23, 2004 hearing date. The scheduled hearing went forward on April 23, 2004 without the participation of Mr. Dorsch.

CONCLUSIONS OF LAW

1. Because he submitted a reinstatement application for licensure in Ohio, Anthony G. Dorsch is subject to the jurisdiction of the Ohio State Board of Examiners of Architects, and to the provisions of Chapter 4703 of the Ohio Revised Code and Chapter 4703 of the Ohio Administrative Code.

2. As used in this context, the "practice of architecture" is defined in the Ohio Administrative Code as section 4703-1-01(B) as follows:

(B) "Practice of architecture"-Except as otherwise permitted by divisions (C) and (D) of section 4703.18 and by section 4703.182 of the Revised Code or the preparation of manufacturer's technical documents, shop drawings, assembly or erection drawings or graphic descriptions used to detail or illustrate a portion of the work required to construct the building in accordance with the plans, rendering or offering to render any one or combination of the following: advice, consultation, evaluation, planning, any type of architectural plans, designs, or specifications, or administration of construction contracts in connection with the erection, enlargement or alteration of any building or buildings, or the equipment or utilities thereof, or the accessories thereto.

3. The preponderance of the evidence shows that the certificate of qualification to practice architecture for Anthony G. Dorsch lapsed December 13, 1991. Mr. Dorsch is not currently licensed to practice architecture in Ohio. Mr. Dorsch on (2) two previous occasions, on or about July 2003 and October 2003, prepared and submitted construction drawings for a commercial restaurant bearing his signature and architectural seal to the Mahoning County building department.

Therefore, Mr. Dorsch has engaged in the practice of architecture, entered upon the practice of architecture and held himself forth as an architect without a valid certificate of qualification by engaging in activities that constitute the practice of architecture in this State in violation of O.R.C. 4703.06 and O.R.C 4703.18 (A).

ORDER OF THE BOARD

After the hearing, the Board conducted deliberations, and based upon the foregoing findings and conclusions, and taking into consideration the mitigating and aggravating circumstances, including the nature and severity of the act under consideration, the actual or potential harm to any consumer, client, or the general public, the prior disciplinary record, the number and/or variety of current violations, rehabilitation evidence, time passed since the act occurred, cooperation with the investigation, and recognition of wrongdoing, the Board took the following action:

1. Mr. Dorsch's application for reinstatement of his certificate of qualification to practice architecture in Ohio is *denied*.

CERTIFICATION

I hereby certify that the foregoing Adjudication Order of the Ohio State Board of Examiners of Architects is true and accurate as it appears in the journal of the Board at its proceedings on April 23, 2004.

This order may be appealed in accordance with Section 119.12 of the Ohio Revised Code by filing a Notice of Appeal with the Ohio State Board of Examiners of Architects, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108, and also a copy of that Notice of Appeal with the Court of Common Pleas in the county of the respondent's place of business, or in the county in which the respondent is a resident, or with the Court of Common Pleas in Franklin County, Ohio if not a resident of Ohio. Such notice of Appeal shall contain the Order appealed from and the grounds of such an appeal. Such notice of Appeal and copy shall be filed and must be received within fifteen (15) days after the mailing of this Adjudication Order.

BY ORDER OF THE BOARD,



WILLIAM N. WILCOX
EXECUTIVE DIRECTOR