



STATE OF OHIO STATE BOARD OF EXAMINERS OF ARCHITECTS

77 South High Street, 16th Floor Columbus, OH 43266-0303 614/466-2316 Fax: 614-644-9048

BEFORE THE OHIO STATE BOARD
OF EXAMINERS OF ARCHITECTS

IN RE: JOHN R. KINGSTON : DATE: January 29, 1998
149 Swigert Ave.
Lexington, KY 40505 :
Cert. No. 5652 : Certified Mail: P 348 908 837

ADJUDICATION ORDER

Pursuant to a meeting of the Ohio Board of Examiners of Architects, the following matter came before the Board on January 16, 1998. Members of the Board present were: John W. Spencer, Harold Rasmussen, Richard H. Kaplan, Joseph E. Vetter, and Merle M. Myers.

An administrative hearing was held on the charges contained in the Board's letter of August 14, 1997. The issue to be determined by the Board was whether Mr. Kingston violated O.R.C. Sections 4703.15 and 4703.151, and O.A.C. Section 4703-3-07(D)(3), which provides that "An architect shall comply with the registration laws and regulations governing his or her professional practice in any United States jurisdiction.

FINDINGS OF FACT

John R. Kingston is an individual licensed to practice architecture in the State of Kentucky and the State of Ohio as an Architect or Registered Architect. At the time of his hearing he maintained a valid certificate of qualification issued by the Board as No. 5652.

On October 11, 1996, Mr. Kingston entered into a Consent Order with the Tennessee State Board of Architectural and Engineering Examiners for violating Sections 62-2-104(a)(1)(D) and 62-2-306(b) of the Tennessee Code Annotated. A certified copy of the Consent Order was received into evidence.

The essence of the Tennessee violation is that Mr. Kingston affixed his Tennessee architect's seal and signature to several design drawings after his Tennessee certificate of registration to practice had expired. As a condition of the Consent Order, Mr. Kingston was fined a civil penalty in the amount of nine thousand dollars (\$9,000.00).

Mr. Kingston appeared and requested to be heard. Although Mr. Kingston had failed to timely request a hearing before the Board within 30 days of the August 14, 1997 letter (as required by Chapter 119 of the O.R.C.), the Board allowed Mr. Kingston to present his testimony. Mr. Kingston admitted he let his Tennessee license lapse, but explained he was licensed in several states at the time and due to a loss of office personnel he forgot to keep up with the licensure requirements.

CONCLUSIONS OF LAW

Mr. Kingston failed to comply with the registration laws and regulations governing his or her professional practice in any United States jurisdiction, namely the jurisdiction of the state of Tennessee, in violation of O.A.C. Section 4703-3-07(D)(3).

O.A.C. Section 4703-3-07(D)(3) is a rule which establishes in part the standard of conduct to be followed in the practice of the profession of architecture in the state of Ohio, adopted by the Board pursuant to Chapter 4703. of the Revised Code.

By virtue of his violation of O.A.C. Section 4703-3-07(D)(3), under O.R.C. Section 4703.151 the Board may revoke or suspend Mr. Kingston's license, or issue a reprimand to him, in accordance with the Board's assessment of the seriousness of the charge.

ORDER OF THE BOARD

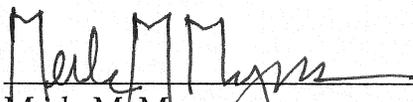
After the hearing, the Board conducted deliberations, and based upon the foregoing findings and conclusions, the Board took the following action:

1. The Board reprimands John R. Kingston for his actions giving rise to the violations.

CERTIFICATION

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 43266, 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 delivered within fifteen (15) days after the mailing of this Adjudication Order.

BY ORDER OF THE BOARD,



Merle M. Myers
President of the Board