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 STATE OF OHIO
BOARD OF EXAMINERS OF ARCHITECTS

IN RE: CLYDE D. POPE 6511 Jadecrest Suite 200 Spring, Texas 77389	: :	DATE: March 29, 1999
Cert. No. 5773	:	Certified Mail: P 348 908 913

ADJUDICATION ORDER

Pursuant to a meeting of the Ohio Board of Examiners of Architects, the following matter came before the Board on March 19, 1999. Members of the Board present were: John W. Spencer, Joseph E. Vetter, Richard H. Kaplan and Merle M. Myers.

An administrative hearing was held on the charges contained in the Board's letter of October 14, 1998. The issue to be determined by the Board was whether Mr. Pope 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

Clyde D. Pope is an individual licensed to practice architecture in 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. 5773.

On May 18, 1998, Mr. Pope was adjudged by the Arkansas State Board of Examiners and Registration of Architects to have violated Arkansas Code Annotated § 17-15-308(6)(9). A certified copy of the Arkansas Board's decision and order was received into evidence. Letters dated October 21, 1998, and March 8, 1999, from Mr. Pope to the Ohio Board of Examiners of Architects were also received into evidence.

Richard H. Kaplan, Cleveland • Merle M. Myers, Medina • Harold Rasmussen, Akron
John W. Spencer, Columbus • Joseph E. Vetter, Toledo

The essence of the Arkansas violation is that Mr. Pope aided and abetted an unlicensed person in the practice of architecture in the State of Arkansas.

The Board considers such aiding and abetting unlicensed persons in the practice of architecture to be a very serious violation of architectural standards of conduct, and worthy of substantial discipline.

CONCLUSIONS OF LAW

Mr. Pope 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 Arkansas, 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. Pope'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. Mr. Pope's certificate of qualification to practice architecture, No. 5773, is *revoked.*

Clyde D. Pope is hereby officially informed that Ohio Revised Code Sections 4703.06, 4703.18(A) and 4703.99 make it a criminal violation to assume or use the title or designation of "Architect" or "Registered Architect", or to hold himself out to be any of the above, or to engage in the practice of architecture unless properly licensed to do so by the Board.

The Board hereby orders you to immediately **cease and desist** any further use of any of the aforementioned designations, performing any of the aforementioned work, or to in any way hold yourself 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 in any way improperly portray you as such a practitioner within Ohio should be stopped.

CERTIFICATION

I hereby certify that the foregoing Adjudication Order of the State of Ohio, Board of Examiners of Architects is true and accurate as it appears in the journal of the Board of its proceedings on March 19, 1999.

This order may be appealed in accordance with Section 119.12 of the Ohio Revised Code by filing a Notice of Appeal with the State of Ohio, 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,

STATE OF OHIO
BOARD OF EXAMINERS OF ARCHITECTS

Joseph E. Vetter
President