

STATE OF OHIO
STATE BOARD OF EXAMINERS OF ARCHITECTS



OFFICE OF THE BOARD
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COLUMBUS, OHIO 43266-0303
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BEFORE THE OHIO STATE BOARD
OF EXAMINERS OF ARCHITECTS

IN RE: TARLEE W. BROWN : DATE: July 1 1996
Brown Design Associates :
66 Luckie Street, NW :
Atlanta, Georgia 30303 :

Cert. No. 6588 : Certified Mail: P 348 812 561

ADJUDICATION ORDER

Pursuant to a meeting of the Ohio Board of Examiners of Architects, the following matter came before the Board on April 23, 1996. Members of the Board present were: John Spencer, Harold Rasmussen, Richard Kaplan and Merle Myers.

An administrative hearing was held on the charges contained in the Board's letter of September 25, 1995. The issue to be determined by the Board was whether Mr. Brown violated O.R.C. Sections 4703.15 and 4703.151, and O.A.C. Sections 4703-3-07(D)(1) and 4703-3-07(E)(3).

FINDINGS OF FACT

Tarlee W. Brown 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. 6588.

On August 20, 1993, Mr. Brown was adjudged by the United States District Court for the Northern District of Alabama to have violated 18 U.S.C. Section 371, Conspiracy to Violate 18:1341, 18:1956, 18:666. A certified copy of the federal criminal judgment was received into evidence, along with certified copies of the Georgia State Board of Architects Final and Initial Decisions and Orders, dated November 23, 1994 and June 7, 1994.

The essence of the federal violation is that Mr. Brown conspired to use the mails and cause the use of the mails in furtherance and execution of a scheme to defraud and obtain money from the City of Birmingham and Bond Ryder James Architect; to obtain money and contracts by false pretenses, representations and promises through the use of the mails, the proceeds of an unlawful activity, in a financial transaction affecting interstate commerce; and to corruptly give and agree to give money to an agent of the City with intent to influence or reward said agent of the City, in connection with a series of business transactions of the City.

The Board considers such criminal activities to be of the most serious nature, and worthy of the most substantial discipline.

CONCLUSIONS OF LAW

Mr. Brown violated federal criminal laws in violation of O.A.C. Section 4703-3-07(D)(1).

Mr. Brown engaged in conduct involving fraud or wanton disregard of the rights of others in violation of O.A.C. Section 4703-3-07(E)(3).

Mr. Brown has been found guilty by a court of justice of a felony in violation of O.R.C. Section 4703.15(B).

O.A.C. Sections 4703-3-07(D)(1) and (E)(3) are rules which establish 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. Sections 4703-3-07(D)(1) and (E)(3), under O.R.C. Section 4703.151 the Board may revoke or suspend Mr. Brown'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. Brown's certificate of qualification to practice architecture, No. 6588, is revoked.

Tarlee W. Brown 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.

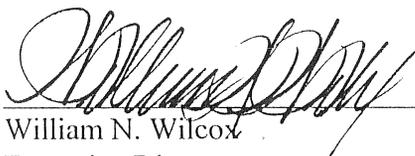
The Board hereby orders Tarlee W. Brown and his firm to immediately **cease and desist** any further use of any of the aforementioned designations, performing any of the aforementioned work, or to in any way hold himself or itself out to be qualified and permitted to offer architectural services in the state of Ohio. The use of any advertisements, letterhead, business cards, signs, or other materials which in any way improperly portray you as an architect or your firm as an architectural firm within Ohio should be stopped during the period of your suspension.

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 of its proceedings on April 23, 1996.

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,



William N. Wilcox
Executive Director