



## Ohio Architects Board

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77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio  
43215-6108

Phone (614) 466-2316  
Fax (614) 644-9048  
www.arc.ohio.gov

IN THE MATTER OF  
MARK T. YAGER

:

DATE: November 19, 2012

:

Cert. No. 9563

:

### ADJUDICATION ORDER

Pursuant to a meeting of the Ohio Architects Board, the following matter came before the Board on October 19, 2012. Members of the Board present were: Jeffrey Skapin, Richard J. Fleischman, Stephen L. Sharp, Richard L. Bowen and August L. Fluker, Jr.

### ORDER OF THE BOARD

Jeffrey Skapin, Stephen L. Sharp, Richard L. Bowen and August L. Fluker, Jr. reviewed and considered the Report and Recommendation of the hearing officer, and the case exhibits. Richard J. Fleischman abstained from voting. No written objections were submitted on behalf of Mr. Yager.

#### **Thereupon, the Board took the following actions in this matter:**

1. The Board approves and adopts the findings of fact, conclusions of law; and recommendation as set forth in the Report and Recommendation.
2. Mr. Yager's certificate of qualification to practice architecture in Ohio, Certificate No. 9563, is hereby *REVOKED*.
3. Mr. Yager may apply for restoration of his certificate of qualification to practice architecture in Ohio pursuant to the terms, conditions and fees set forth in Ohio Revised Code section 4703.15 and Ohio Administrative Code sections 4703-1-04 (E) and 4703-2-07.

Mark T. Yager is hereby officially informed that Ohio Revised Code Sections 4703.06 (A), 4703.18 (A) and 4703.99 (A) make it a 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 that in any way improperly portray you as a practitioner within Ohio should be stopped.

It is so Ordered:

AYE: Jeffrey Skapin, Stephen L. Sharp, Richard L. Bowen, August L. Fluker, Jr.

ABSTAIN: Richard J. Fleischman

NAY: None

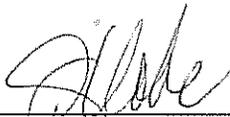
#### **TIME AND METHOD TO PERFECT AN APPEAL**

Any party desiring to appeal shall file a Notice of Appeal with the Ohio Architects Board, 77 South High Street, 16<sup>th</sup> Floor, Columbus, Ohio 43215-6108, setting forth the order appealed from and stating the Board's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law.

The Notice of Appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the Board's order is not supported by reliable, probative and substantial evidence and is not in accordance with law.

The Notice of Appeal shall also be filed by the appellant with the Court of Common Pleas in the county of the appellant's place of business, or in the county in which the appellant is a resident, or with the Court of Common Pleas in Franklin County, Ohio if not a resident of Ohio. **Such notices of appeal shall be filed within fifteen (15) days** after the mailing of the notice of the Board's order as provided in Section 119.12 of the Ohio Revised Code.

BY ORDER OF THE BOARD,



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Amy M. Kobe, CAE, Hon. AIA  
Executive Director

Mark T. Yager, Cert. No. 9563  
November 19, 2012  
Certification Page

CERTIFICATION

The State of Ohio, :  
County of Franklin, : SS

I, the undersigned Executive Director for the Ohio Architects Board hereby certify that the foregoing is a true and exact reproduction of the original Order of the Ohio Architects Board entered on its journal, on the 19<sup>th</sup> day of October 2012.



Amy M. Kobe, CAE, Hon. AIA  
Executive Director

Date: 11/19/2012

Service by USPS Certificate of Mailing

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

**IN THE MATTER OF  
MARK T. YAGER**

:

DATE: July 24, 2007

:

**Cert. No. 9563**

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**ADJUDICATION ORDER**

Pursuant to a meeting of the State of Ohio, Board of Examiners of Architects, the following matter came before the Board on July 20, 2007. Members of the Board present were: Gerald S. Hammond, Richard J. Fleischman, Richard L. Bowen and Leon Humphries.

**ORDER OF THE BOARD**

Gerald S. Hammond, Richard J. Fleischman, Richard L. Bowen and Leon Humphries reviewed and considered the Report and Recommendation of the Referee. No written objections were submitted on behalf of Mr. Yager.

Thereupon, the Board took the following actions in this matter:

1. The Board approves and adopts the findings of fact and conclusions of law as set forth in the referee's report, but modifies its recommendation.
2. Mr. Yager's application for reinstatement to practice architecture in Ohio received on May 18, 2007 is hereby *DENIED*.
3. Mr. Yager may apply for reinstatement of his certificate of qualification to practice architecture in Ohio pursuant to the terms, conditions and fees set forth in Ohio Revised Code section 4703.15 and Ohio Administrative Code section 4703-1-04 (E).

Mark T. Yager is hereby officially informed that Ohio Revised Code Sections 4703.06, 4703.18 (A) and 4703.99 make it a 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 that in any way improperly portray you as an architect in Ohio should be stopped.

You are further reminded that you may only engage in commercial projects where you are a direct employee of an architect; or a consultant to an architect who possesses a written contract for architectural services with the client and is in legal responsible charge of its design processes.

You may not enter into any contracts or proposals with clients for the provision of architectural services or any commercial design services that are considered to be the practice of architecture, nor should you directly issue invoices for services rendered to clients for any commercial design services considered to be the practice of architecture.

### **CERTIFICATION**

I hereby certify that the foregoing Adjudication Order of the State of Ohio, Board of Examiners of Architects is a true and accurate copy of the original as it appears in the journal of the Board at its proceedings on July 20, 2007.

This order may be appealed in accordance with Section 119.12 of the Ohio Revised Code by filing **an original** Notice of Appeal with the State of Ohio, Board of Examiners of Architects, 77 South High Street, 16<sup>th</sup> Floor, Columbus, Ohio 43215-6108.

**A copy** of such Notice of Appeal shall also be filed 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 receipt of the mailing of this Adjudication Order.

BY ORDER OF THE BOARD,

A handwritten signature in cursive script, appearing to read "A. Kobe", written in black ink.

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Amy M. Kobe, CAE  
Executive Director of the Board

cc: Timothy L. McGarry, Esq., via Cert Mail 9810 6203 & facsimile  
Barry D. McKew, Office of the Attorney General  
Mark T. Yager, via U. S. Regular Mail

I hereby certify that this document is a true and accurate copy of the Decision and Adjudication Order of the State of Ohio, Board of Examiners of Architects entered on its record of proceedings on July 20, 2007.



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Amy M. Kobe, CAE  
Executive Director

Date: 7/24/07

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

**IN THE MATTER OF  
MARK T. YAGER**

:

DATE: April 10, 2006

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**Cert. No. 9563**

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**ADJUDICATION ORDER**

Pursuant to a meeting of the State of Ohio, Board of Examiners of Architects, the following matter came before the Board on March 3, 2006. Members of the Board present were: Leon Humphries, Gerald S. Hammond, Richard J. Fleischman and Stephen L. Sharp.

**ORDER OF THE BOARD**

Leon Humphries, Gerald S. Hammond, Richard J. Fleischman and Stephen L. Sharp reviewed and considered the Report and Recommendation of the hearing officer. No written objections were submitted on behalf of Mr. Yager.

Thereupon, the Board took the following actions in this matter:

1. The Board approves and adopts the findings of fact, conclusions of law; and recommendation as set forth in the Report and Recommendation.
2. Mr. Yager's certificate of qualification to practice architecture in Ohio, Certificate No. 9563, is hereby *REVOKED*.
3. Mr. Yager may apply for reinstatement of his certificate of qualification to practice architecture in Ohio pursuant to the terms, conditions and fees set forth in Ohio Revised Code sections 4703.15, 4703.16 (C) (3) and Ohio Administrative Code section 4703-1-04 (E).



Mark T. Yager is hereby officially informed that Ohio Revised Code Sections 4703.06, 4703.18 (A) and 4703.99 make it a 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 that in any way improperly portray you as a practitioner within Ohio should be stopped. **The telephone number for Y Architects, LLC, (216- 622-0244) shall also immediately be disconnected.**

#### 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 at its proceedings on March 3, 2006.

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, 16<sup>th</sup> 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,



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Amy M. Kobe, CAE  
Executive Director of the Board

I hereby certify that this document is a true and accurate copy of the Decision and Adjudication Order of the State of Ohio, Board of Examiners of Architects entered on its record of proceedings on March 3, 2006.



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Amy M. Kobe, CAE  
Executive Director

Date: 4/10/2006

Delivery by Personal Service