

OHIO ARCHITECTS BOARD

IN THE MATTER OF: : File No. 2013-48
: :
Patrick B. Madden, Cert. No. 11564 :
1900 South Highland, Suite 206 :
Lombard, Illinois 60148 :

SETTLEMENT AGREEMENT

1. This agreement is made between Patrick B. Madden, hereinafter ("Respondent") and the Ohio Architects Board, hereinafter ("Board").
2. The above parties hereby stipulate to the jurisdiction of the Board over this matter.
3. The Board enters into this Settlement Agreement in lieu of formal proceedings based upon an alleged violations of Ohio Revised Code sections 4703.06 (A), 4703.15 (A) (3), 4703.18 (A), 4703.18 (H) and Ohio Administrative Code section 4703-3-02 (A) as listed in the Notice of Opportunity letter dated December 2, 2013 hereinafter ("Notice") sent to Respondent by Amy M. Kobe, Executive Director of the Board.
4. The Board expressly reserves the right to institute formal proceedings based upon any other violations of Chapter 4703 of the Revised Code and the Ohio Administrative Code, whether occurring before or after the effective date of this agreement.
5. The parties agree that the terms of this agreement are a compromise and that the settlement agreement binds the parties hereto, their assigns and successors in interest. This is a disciplinary action that will be a part of Respondent's permanent Board record and is information that is available to the public.
6. As a result of an investigation by the Board, Respondent was notified by Notice that the Board intended to determine whether or not to deny his reinstatement application, issue a fine, reprimand, suspend or revoke Respondent's license to practice architecture in the State of Ohio based upon allegations that Respondent held himself out as an architect with the architectural firm of Madden McMillian Architects, Ltd. and provided and presented preliminary conceptual design documents for the proposed Verizon Switching facility project on 289 Naghten Street in Columbus, Ohio in 2013 at a time during which his license had been lapsed.

Additionally, Respondent allegedly offered and provided architectural services for the proposed Ohio based Verizon switching facility project through the architectural firm of Madden McMillian Architects, Ltd. without first obtaining a firm certificate of authorization.

7. Based upon the foregoing, as a full and complete settlement of this matter and in the mutual best interests of the parties, Respondent and the Board hereby agree to the following terms of settlement in Case No. 2013-48:

A. Respondent waives his right to an appeal and an opportunity to be heard pursuant to Chapter 119 of the Ohio Revised Code.

B. Respondent will pay in full, a monetary fine of **\$2,000.00 / Two-Thousand Dollars** to the Board **no later than January 2, 2014.**

C. Respondent will complete and submit a firm certificate of authorization application to the Board **no later than January 2, 2014.**

D. Respondent will successfully complete the "*Ethics for Professional Architects - Part 1*" continuing education course offered by Red Vector and provide to the Board a copy of the certificate of completion **no later than January 2, 2014.** (*CE hours awarded will not count towards the 2013-14 mandatory continuing education requirement*).

E. Respondent's reinstatement application and license will immediately be reinstated once the above terms have been met in full.

F. Respondent hereby agrees that in the future, he will maintain an active license to practice architecture in Ohio and that his firm will maintain an active firm registration if offering and providing services in Ohio.

G. Respondent affirms that he has read and understands the Board's current laws & rules in Ohio Revised Code Chapter 4703 and Ohio Administrative Code Chapter 4703. Laws & rules can be found on the Board's website at www.arc.ohio.gov

H. Respondent shall obey all federal, state and local laws and all laws and administrative rules governing the practice of architecture in the state of Ohio and any United States jurisdiction where he may hold a license to practice architecture. If Respondent is convicted of any criminal offense or violation of law other than a minor misdemeanor offense within the next two (2) years, he shall report those facts and circumstances in writing to the Board within thirty (30) days from the conviction.

8. If Respondent violates any provision of the agreement or fails to abide by the terms or sanctions set forth above, Respondent agrees that the Board may suspend his certificate of qualification to practice architecture in Ohio until such time as the terms or sanctions of the agreement are fully completed to the satisfaction of the Board.

9. It is hereby understood that this agreement shall not be binding on any of the parties unless it has been signed and executed by the parties below. If the parties are unable to reach an agreement on the terms herein, this document shall become null and void and without any force or effect.

10. Respondent waives any and all claims or causes of actions he may have against the State of Ohio, the Ohio Architects Board and its members, officers, employees and/or agents of either, arising out of the matters which are the subject of this settlement agreement.

11. This agreement shall be effective on the date it is approved by the Board and signed by the Board's Executive Director.

12. This document shall be considered a public record in accordance with Ohio Revised Code Section 149.43.



Patrick B. Madden
Cert. No. 11564



Amy M. Kobe, CAE, Hon. AIA
Executive Director of the Board

Date: 12/3/13

Date: 1/17/14