

**Louisiana State Board of Architectural Examiners
Complaint Review Committee
April 13, 2018
Meeting Minutes**

Present: Knox H. Tumlin, Chair
J. David Brinson
Richard J. LeBlanc
Katherine E. Hillegas, Executive Director
Tyson J. Ducote, Deputy Director
Paul H. Spaht, Board Attorney

The meeting was called to order by Tumlin who reviewed the agenda.

Motion: LeBlanc/Brinson: To enter into executive session to discuss investigative and disciplinary matters regarding allegations of misconduct and/or the character and professional competence of persons. **Passed. 3-0.**

Minutes

The minutes of the previous meeting were reviewed.

Motion: LeBlanc/Brinson: To approve the January 12, 2018, CRC minutes. **Passed. 3-0.**

Approval of returned Consent Order:

Staff presented an executed Consent Order for case 2017-11 to the committee for acceptance.

Motion: LeBlanc/Brinson: To recommend approval of the executed Consent Order for case 2017-11 **Passed. 3-0**

Complaints:

2017-05 - Gerald W. Billes, Architect

Ducote updated the Committee on the case. The final correspondence from the Complainant and the Respondent's reply were distributed to the CRC for review. Ducote provided an update on the status of a civil case related to this complaint. The CRC confirmed its decision to close the case for lack of evidence.

Motion: LeBlanc/Brinson: To dismiss case 2017-05 for insufficient evidence **Passed. 3-0**

2017-08 – Re: Design Architectural Studios

Ducote updated the committee on the multiple attempts to obtain a response from Mr. Robinson. He noted that while the firm lists a local phone number and a P.O. Box in Kenner, LA, there is strong evidence that Mr. Robinson is living in Santa Barbara, CA. The committee agrees that action must be taken and instructed Ducote to reach out to any Louisiana clients. Spaht discussed the process of obtaining a judgment against the firm and serving the petition on the Respondent in California.

Motion: LeBlanc/Brinson: To pursue action on this complaint and attempt to obtain a judgment against the Respondent and have the petition served to the Respondent in California. Passed. 3-0.

2018-01 – Smith & Williams Architectural and Engineering Design Consultants, LLC

Ducote presented a complaint for practice and/or offer to practice architecture and the use of the terms “architect,” “architectural,” and “architecture” to describe its service and employees in Louisiana without proper licensure.

Motion: Brinson/LeBlanc: To issue a consent order with the following sanctions: 1) a fine of \$1,500; 2) to pay actual administrative costs; 3) a cease and desist order; 4) the publication of this matter in the Board’s newsletter and submission to NCARB. Passed. 3-0.

2018-02 – Michael G. Schmidt

Ducote presented a complaint for sealing work originally performed by electrical, mechanical and structural engineers. The statute of limitations is set to expire on May 10, 2018. Spaht recommended a response to the Respondent’s last communication and that the committee prefer charges and proceed to a formal hearing if an informal resolution can not be reached. The committee discussed sanctions for a possible consent order.

Motion: Brinson/LeBlanc: 1) To issue a letter requesting that the Respondent show compliance with the Board’s rules; 2) to issue a consent order as an informal resolution with the following sanctions: a) a fine of \$1,500; b) to pay actual administrative costs; c) a cease and desist order; d) the publication of this matter in the Board’s newsletter and submission to NCARB; and 3) if there is no resolution before May 10, 2018, prefer charges against the Respondent and issue an Administrative Complaint and Notice of Hearing. Passed. 3-0.

2018-03 – ProjX, LLC of Tennessee

Ducote presented a complaint for practice and/or offer to practice architecture in Louisiana without proper licensure.

Motion: LeBlanc/Brinson: To issue a consent order with the following sanctions: 1) a fine of \$1,500; 2) to pay actual administrative costs; 3) the publication of this matter in the Board’s newsletter and submission to NCARB. Passed. 3-0.

2018-04 – Michael W. LeBlanc

Ducote presented a complaint for practice and/or offer to practice architecture in Louisiana with a license that was in delinquent status from 6 to 12 months.

Louisiana State Board of Architectural Examiners
Complaint Review Committee
April 13, 2018
Meeting Minutes
Page 3

Motion: Brinson/LeBlanc: To issue a consent order with the following sanctions: 1) a fine of \$1,000; 2) to pay actual administrative costs; 3) the publication of this matter in the Board's newsletter and submission to NCARB. **Passed. 3-0.**

2018-05 – MWL Architects, Inc.

Ducote presented a complaint against the Respondent for practice and/or offer to practice architecture in Louisiana with a license that was in delinquent status from 3 to 6 months.

Motion: Brinson/LeBlanc: To issue a consent order with the following sanctions: 1) a fine of \$500; 2) to pay actual administrative costs; 3) the publication of this matter in the Board's newsletter and submission to NCARB. **Passed. 3-0.**

NCARB action against a licensee:

Ducote discussed an action that NCARB took against a licensee. NCARB revoked the individual's certificate because of violations in several states. The CRC had previously reviewed the licensee's records at the January 2018 meeting and agreed a letter of caution was appropriate. The letter was mailed, and no further action was taken.

Motion: LeBlanc/Brinson: To take no further action in this matter. **Passed. 3-0.**

Motion: LeBlanc/Brinson: To leave Executive Session. **Passed. 3-0.**

There being no further business to address,

Respectfully submitted,

Knox H. Tumlin, Chair