

**Louisiana State Board of Architectural Examiners
Complaint Review Committee
June 15, 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: Brinson/LeBlanc: To approve the April 13, 2018 CRC minutes. **Passed. 3-0.**

New Complaints:

2018-10 – Street Collaborative LLC

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

Motion: Brinson/LeBlanc: To issue a consent order with the following sanctions: 1) to pay 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.**

2018-06 – Arthur T. Kaough, Architect

Ducote presented an affidavit of complaint alleging violations of La. R.S. 37:153(A)(1) relative to engaging in any fraud, deceit, gross incompetence, dishonesty, misrepresentation, misconduct or gross negligence in the practice of architecture, **(b)** La. R.S. 37:153(A)(5) relative to willfully misleading or defrauding any person employing you as an architect, and **(c)** La. R.S. 37:153(A)(6) *to wit* LAC Title 46:I §1305(A) relative to failure to seal or stamp all contract drawings and specifications requiring the services of an architect which were prepared by the architect or under the architect's responsible supervision.

Motion: Brinson/Tumlin: To dismiss case 2018-06 for insufficient evidence of a violation of the Board's laws or rules. **Passed. 2-0 with LeBlanc abstaining.**

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Newman Marchive Incorporated

Ducote presented a complaint alleging a violation of the Board's laws or rules for failure to remove the original engineering firm's title block on plans that were edited to show work completed on the Caddo Parish School Board's asbestos abatement master plans sheets.

Motion: LeBlanc/Brinson: To dismiss the complaint for insufficient evidence of a violation of the Board's laws or rules. **Passed. 3-0.**

Existing Complaints - Updates:

2017-08 - Re: Design Architectural Studios

Ducote updated the committee on information gathered since the last CRC meeting. Ducote reported on the work that the individual and firm were hired to perform for a client in New Orleans. After review, the committee agreed that the work performed was not architectural in nature and did not require an architecture license. Spaht requested contact /demographic information on Mr. Robinson to aid in his drafting of the suit.

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

2018-02 – Michael G. Schmidt

Ducote updated the committee on the case. A proposed Consent Order has been issued, and the Respondent's attorney has expressed that the Respondent may wish to resolve the matter with the proposed Consent Order; however, no action has been taken by the Respondent or his attorney. Spaht recommended that Ducote reach out and give a deadline to respond to the Consent Order before the Board begins preparing for a hearing. Once the deadline is reached, the proposed Consent Order will no longer be valid, and any additional costs that accrue will be added to the case.

2018-07 – Ward E. Bryant, Jr., Architect

Ducote updated the committee on the case and his conversations with the Respondent. Mr. Bryant's response will be forwarded to the committee upon receipt. The committee discussed the case, the violation and the possible sanctions that should be considered in this case.

Motion: Brinson/LeBlanc: To issue a Consent Order with the following sanctions: 1) to pay a fine of \$3,000; 2) to pay actual administrative costs; 3) the revocation of his Louisiana architects license; 4) the publication of this matter in the Board's newsletter and submission to NCARB. **Passed. 3-0.**

Returned Consent Orders:

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

Ducote presented an executed Consent Order to the committee for acceptance.

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2018-03 – ProjX, LLC of Tennessee

Ducote presented an executed Consent Order to the committee for acceptance.

2018-04 – Michael W. LeBlanc

Ducote presented an executed Consent Order to the committee for acceptance.

2018-05 – MWL Architects, Inc.

Ducote presented an executed Consent Order to the committee for acceptance.

It was agreed that the returned Consent Orders would be presented to the Board for approval.

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

There being no further business to address,

Respectfully submitted,

Knox H. Tumlin, Chair