

FILED March 10, 2015 (Date)

Architecture
Board / Commission

[Signature]
Signature, Executive Officer

BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA

IN THE MATTER OF:)	Case No. 14-04
)	
Robin P. Andrews)	
Architect registration 01419)	STATEMENT OF CHARGES
)	CHARGES AND CONSENT ORDER
12935 Redstone Drive)	IN DISCIPLINARY CASE
Huntley, IL 60142)	
)	
Respondent.)	

A. Statement of Charges

1. The Iowa Architectural Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 544A (2015).

2. Respondent was issued Iowa registration number 01419 on the 5th day of February, 1971. The Respondent's license is in active status.

3. An architect with a lapsed registration sealed technical submissions for a project located in Des Moines. Building officials rejected the technical submissions. The lapsed architect contacted Respondent. Respondent briefly reviewed the plans and then authorized placement of his seal and certification block. When submitted to building officials, however, the plans were the same as those initially rejected and continued to note they were drafted by the architect with the lapsed registration. After the plans were rejected a second time, Respondent had the plans redrawn. The plans were then accepted by the building official.

4. The Board retained a peer reviewer to investigate and provide an expert opinion as to whether Respondent violated a law or rule enforced by the Board. The peer reviewer concluded that Respondent did sign technical submissions prepared by others in violation of Iowa Code section 544A.28. See also, Iowa Code section 544A.16(5) and 193B IAC 4.1(6)(b) and 4.1(7). As a mitigating circumstance the peer reviewer notes that the project for which the technical submissions were sealed likely fell within an exemption in Iowa Code section 544A.18. A registered architect remains subject to Iowa's seal and certification laws and rules whether the project did or did not require an architect.

5. The Board charges Respondent with sealing and certifying technical submissions prepared by others without taking appropriate steps to assure the sealed drawings were prepared under the architect's direct supervision and responsible charge.

6. Respondent does not admit the charges, but he agrees to resolve the disputed matter with this Consent Order. Respondent has no prior discipline and he has assured the Board that he will be more careful in the future to comply with all applicable laws and rules governing an architect's responsibilities when sealing technical submissions.

B. Settlement Agreement and Consent Order

7. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4. Respondent acknowledges he had the opportunity to consult with legal counsel before signing this Consent Order.

8. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.

9. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations.

10. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2015).

11. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2015). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

12. This Order is subject to approval of the Board:

(a) If the Board fails to approve this Order, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:


A. Reprimand

Respondent is reprimanded for sealing and certifying technical submissions prepared by another without complying with Iowa Code section 544A.28.

B. Future Compliance

Respondent shall in the future comply with all applicable provisions of Iowa Code chapter 544A and associated rules.

The Respondent

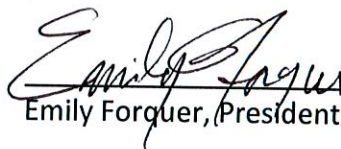


Robin P. Andrews

3/2/15

Date

Iowa Architectural Examining Board



Emily Forquer, President

3/10/2015

Date