

**BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF:)

David Greenway)
1451 Main Street)
Delafield WI 53018)

Respondent)
)
)
)
)

Case No. 05-04

CONSENT ORDER

The Iowa Architectural Examining Board (Board) and David Greenway (Respondent) enter into this Settlement Agreement and Consent Order (Order), pursuant to Iowa Code section 17A.10 (2003) and 193 IAC 7.4:

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 544A, and 272C (2001, 2003).

2. Respondent is a registered architect in the state of Iowa. His registration lapsed on June 30, 2004. The registration was reinstated on February 5, 2005. Respondent agrees he performed architectural services in Iowa after his registration lapsed.

3. A Statement of Charges will be filed simultaneously with this Consent Order. Respondent agrees that he practiced architecture on a lapsed registration and agrees to the entry of a Consent Order.

4. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights by freely and voluntarily entering into this Agreement. The Consent Order is the final agency order in the contested case.

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

6. This Agreement and the Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2003).

7. Failure to comply with the provisions of this Agreement shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2003). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

8. This Agreement is subject to approval of the Board:

(a) If the Board fails to approve this Agreement, 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 Agreement, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Reprimand

Respondent is reprimanded for practicing architecture with a lapsed registration.

B. Civil Penalty

Respondent shall pay a \$1000.00 civil penalty no later than June 30, 2005.

C. Remedial Orders

(1) By June 30, 2005 Respondent shall mail written notice to all clients for whom he performed architectural services in the state of Iowa from and after July 1, 2004. The notice shall advise the client that Respondent's registration was lapsed when the services were provided. Copies of the letters shall be submitted to the Board no later than June 30, 2005.

(2) Respondent shall recertify and reseal, as applicable, all documents certified or sealed for Iowa projects while his registration was expired. Respondent shall provide proof of compliance no later than August 1, 2005.

D. Future Compliance

Respondent shall in the future adhere to all statutes and administrative rules in the practice of architecture.

AGREED AND ACCEPTED:

The Respondent

[Handwritten Signature]

WILLIAM E. CONWAY
DASH & CONWAY
6/27/05
Date

The Iowa Architectural Examining Board

[Handwritten Signature]

President
July 12, 2005
Date

COPIES OF LETTERS TO ATTACHED

Department of Professional Licensing and Regulation Division

FILED 7/13/05 (Date)

Architectural Examining Board/Commission
[Handwritten Signature]

Signature, Executive Officer.

BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA

IN THE MATTER OF:)	
)	
David Greenway)	CASE NO. 05-04
1451 Main Street)	STATEMENT OF CHARGES
Delafield WI 53018)	
)	
RESPONDENT)	

COMES NOW the complainant, Glenda Loving, and states:

1. The Complainant is the Executive Officer of the Iowa Architectural Examining Board and files these charges solely in her official capacity.
2. The Board has jurisdiction of this matter pursuant to Iowa Code chapter 17A, 272C, and 544A(2003).
3. The Board issued the Respondent, David Greenway, Iowa registration number 05209, on August 22, 2000.
4. Respondent's registration lapsed on June 30, 2004. The registration was reinstated on February 5, 2005.
5. Respondent continued to perform architectural services in Iowa and hold himself out as an architect in Iowa while his registration had lapsed.

COUNT 1

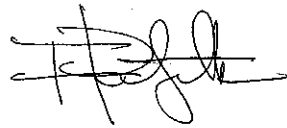
Respondent is charged with practicing architecture on a lapsed registration in violation of Iowa Code sections 272C.10(3), 544A.1, and 544A.10, 544A.13(3), 544A.15(1), 544A.29 (2003) and 193B IAC 4.1(5)(c).

WHEREFORE, the complainant prays that a hearing be held in this matter and that the Board take such action as it deems appropriate under the law.

Glenda Loving, Executive Officer

FINDING OF PROBABLE CAUSE

On May 10, 2005, the Iowa Architectural Examining Board found probable cause to file this Statement of Charges and to order a hearing be set in this matter.



Teri Petrzalek, President

Department of Commerce
Professional Licensing and Regulation Division

FILED 7/13/05 (Date)

Architecture Examining
Board/Commission

Glenda Loving
Signature, Executive Officer