

BEFORE THE IOWA ARCHITECTURAL EXAMINING BOARD

In Re:

VERLIN RUSCH d/b/a DESIGN BUILDERS LTD.  
14543 N.E. 46th St.  
P.O. Box 140  
Elkhart, Iowa 50073

Respondents.

Department of Commerce  
Professional Licensing Bureau  
FILED 11/14/95 (Date)  
Case No. 94-04A  
ARCH  
Board / Commission  
CEASE AND DESIST ORDER  
BY STIPULATION  
Signature, Executive Officer

The Iowa Architectural Examining Board ("Board") and Verlin Rusch d/b/a Design Builders Ltd. ("Rusch") stipulate to the following Cease and Desist Order pursuant to Iowa Code § 544A.15 (1995):

1. Rusch is an individual doing business as Design Builders Ltd. with offices in Elkhart, Polk County, Iowa. Design Builders Ltd. was an Iowa corporation in 1990-1992, until it was administratively dissolved by the Secretary of State for failure to file a 1992 annual report.

2. Rusch is not currently a registered architect under Iowa Code chapter 544A (1995). Rusch is also not currently a professional engineer registered under Iowa Code chapter 542B (1995). Design Builders Ltd. is not authorized as a business entity to practice architecture in Iowa, pursuant to Iowa Code section 544A.21(5), and does not have a registered architect or professional engineer on staff.

3. The Board is authorized by Iowa Code § 544A.20 to seek an injunction in district court enjoining any person who is not legally authorized to practice architecture in Iowa from engaging in such practice. Pursuant to Iowa Code

section 544A.1, only persons qualified under the laws of the state of Iowa are authorized to practice architecture in Iowa.

4. The Board and Rusch have agreed to informally resolve a pending dispute concerning documents drafted by Rusch in 1994 for the construction of the Grace Community Church in North Liberty, Iowa. The church is approximately 27,000 square feet and includes a gymnasium, interior classrooms, and a 500-seat auditorium. The church far exceeds the 2,000 square feet limitation in Iowa Code section 544A.18(6). The design plans and specifications for the pre-engineered metal building were certified by a registered professional engineer. However, all other design and construction documents were prepared by Rusch. The drawings include design features, such as footings, foundation drawings, means of egress and other life safety concerns, which involve the public welfare and the safeguarding of life, health, or property, thereby requiring the practice of architecture for completion. The construction documents do not include mechanical or electrical drawings, calculations on footings, or two means of egress from interior, second story classrooms.

5. In the event this Stipulation is violated, it may be used as evidence against Rusch, although all parties understand that violations must be enforced by filing a petition in district court seeking an injunction.

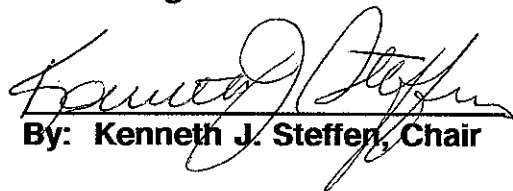
6. Rusch agrees that he will not in the future engage in the practice of architecture, as defined in Iowa Code section 544A.16(9) or represent to the public any ability or authority to do so without a current registration to practice

architecture in Iowa. In particular, Rusch acknowledges that he will not provide consultation, investigation, evaluation, programming, planning, preliminary design, feasibility studies, designs, drawings, specifications or other technical submissions, or administer construction documents, observe construction sites or perform other architectural services, regarding the design, planning, construction, addition, or structural alteration to buildings or structures primarily intended for human occupation or habitation, when the safeguarding of life, health, or property is concerned or involved, unless the buildings or structures are exempt from the requirements of Iowa Code chapter 544A by section 544A.18.

7. This Stipulation is a public record pursuant to Iowa Code chapter 22.

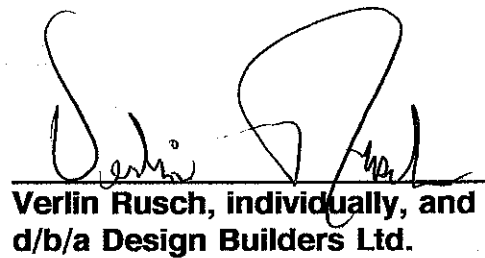
**AGREED AND ACCEPTED:**

**The Iowa Architectural  
Examining Board**

  
By: Kenneth J. Steffen, Chair

November 14, 1995

Date

  
Verlin Rusch, individually, and  
d/b/a Design Builders Ltd.

11-13-95  
Date

To WHOM IT MAY CONCERN:

I WANT THE ABOVE (2) ITEMS  
EXAMINED IN MORE DETAIL. I ALSO WANT  
TO KNOW HOW YOU HAVE DISCIPLINED JOHNSON  
COUNTY IN THE ABOVE MATTER. ALSO, AS I  
REQUESTED BEFORE, WHO FILED THE COMPLAINT.  
