

BEFORE THE ARCHITECTURAL EXAMINING BOARD  
OF THE STATE OF IOWA

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IN THE MATTER OF:	)	
	)	CASE NO. 96-9
DAN TINDALL d/b/a	)	
THE BUILT ENVIRONMENT	)	NOTICE OF BOARD'S INTENT
815 5th Avenue	)	TO ISSUE ORDER AND
Grinnell, Iowa 50112	)	RESPONDENT'S
	)	RIGHT TO HEARING
RESPONDENT	)	

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YOU ARE HEREBY NOTIFIED that the Iowa Architectural Examining Board (Board) intends to issue an order pursuant to Iowa Code section 544A.15 (1997) imposing a civil penalty in the amount of \$1,000.00 based on the following allegations:

1. Respondent, Dan Tindall, is an individual providing design services under the trade name of The Built Environment with offices in Grinnell, Iowa.
2. Respondent provided design services, including drawings of the facade, floor plans, and interior wall elevations, for Mannatts, Inc. in connection with the remodeling of and addition to an office building in Brooklyn, Iowa. The plans are dated in 1995 and 1996, and Respondent continued to provide services as a construction manager as the building was constructed. The completed building is approximately 26,000 square feet.
3. Respondent refers to himself on project drawings as "Master of Architecture."
4. Respondent is listed in the Grinnell GTE February 1997, phone book yellow pages under the heading "Architects," and has been similarly listed in other phone book yellow pages, such as under the heading "Architects" in the 1995 Telecom USA Central Iowa phone directory.

5. Respondent is not registered as an architect in Iowa pursuant to Iowa Code chapter 544A and his firm is not authorized to offer or practice architecture as a business entity pursuant to Iowa Code section 544A.21.

6. Only persons qualified by the laws of Iowa and duly registered may practice architecture in Iowa. Iowa Code § 544A.1.

7. The practice of architecture includes performing or offering to perform professional architectural services, as defined in Iowa Code section 544A.16.

8. Respondent violated Iowa Code section 544A.15(3)(a)(1) and (2) by:

- (a) practicing architecture without a valid Iowa registration;
- (b) improperly using the title "architect"; and,
- (c) using the title "Master of Architecture" in a manner which improperly conveys the impression the he is authorized to practice architecture in Iowa.

9. Respondent may request a hearing within thirty (30) days of the date this Notice is mailed through restricted, certified mail. A request for hearing must be made in writing to the Board at 1918 SE Hulsizer, Ankeny, Iowa 50021, and will be deemed made on the date of the United States postmark or the date of personal service.

10. If a request for hearing is not timely made, the Board shall issue the order described in this notice imposing a civil penalty of \$1,000.00.

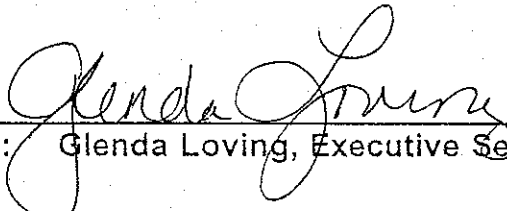
11. If a request for hearing is timely made, a separate notice of hearing shall issue. The Board will conduct a public hearing in the manner applicable to disciplinary cases against registered architects. If the Board finds the evidence at hearing establishes the allegations by a preponderance of the evidence, the Board may impose

a civil penalty in an amount not to exceed \$1,000.00 for each offense. Each day of a continued violation constitutes a separate offense.

12. If a civil penalty is imposed and not paid within thirty days of entry of the order, the Board shall notify the Attorney General and the Attorney General may commence an action to recover the amount of the penalty, including reasonable attorney fees and costs.

Issued this 17<sup>th</sup> day of July, 1997.

The Iowa Architectural Examining Board

  
By: Glenda Loving, Executive Secretary

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

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	)	<b>CASE NO. 96-9</b>
<b>DAN TINDALL d/b/a</b>	)	
<b>THE BUILT ENVIRONMENT</b>	)	<b>ORDER IMPOSING</b>
<b>815 5th Avenue</b>	)	<b>CIVIL PENALTY</b>
<b>Grinnell, Iowa 50112</b>	)	
	)	
<b>RESPONDENT</b>	)	

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**NOW ON THIS** 10<sup>th</sup> day of September, 1997, the Iowa Architectural Examining Board (Board) issues the following order:

1. On July 17, 1997, the Board issued and mailed by restricted, certified mail a notice of intent to impose a \$1000.00 civil penalty against Dan Tindall d/b/a The Built Environment (Tindall) pursuant to Iowa Code section 544A.15(1997), a true copy of which is attached.
2. Tindall did not make timely written request for hearing and has remitted payment of the civil penalty to the board.

**IT IS THEREFOR ORDERED** that a \$1000 civil penalty is imposed against Tindall for violations of Iowa Code section 544A.15(3)(a)(1) and (2). Receipt of the full amount of the civil penalty is hereby acknowledged.

  
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Glen Hunington, Chair, Iowa  
Architectural Examining Board