

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

IN THE MATTER OF:)	Case No. 07-01
)	
Paul W. Miller)	
Landscape Architect registration #00417))	
Paul Miller Design, Inc)	COMBINED STATEMENT OF
220 Division)	CHARGES AND CONSENT ORDER
Northfield MN 55057)	IN DISCIPLINARY CASE
)	<small>Department of Commerce Professional Licensing Bureau</small>
Respondent.)	FILED 7/31/07 (Date)
)	<i>Landscape Arch Examining Board/Commission</i>

A. Statement of Charges

1. The Iowa Landscape Architectural Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 544B.
2. Respondent was issued Iowa registration number 0417 on the 19th day of March, 2001. The registration currently is active and will next expire on the 30th day of June, 2008.
3. Respondent is a professional landscape architect in the state of Iowa. His registration lapsed on June 30, 2006. Respondent agrees he performed landscape architectural services in Iowa after his registration lapsed. Respondent reinstated his lapsed on registration on February 9, 2007.
6. Following investigation, the Board charges Respondent with practicing landscape architecture and holding himself out as a landscape architect after his registration had lapsed.
7. The Board and Respondent have agreed to fully resolve these charges through the following Consent Order, rather than proceed to contested case hearing.

B. Settlement Agreement and Consent Order

8. Respondent has a right to a hearing on the charges, but waives [his/her] 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.
9. 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.

10. 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.

11. 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 (2007).

12. 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) (2005). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

13. 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 practicing landscape architecture with a lapsed registration.

B. Civil Penalty

Respondent shall pay a \$250.00 civil penalty no later than May 31, 2007.

C. Remedial Orders

(1) By May 15, 2007, Respondent shall mail written notice to all clients for whom he performed landscape architectural services in the state of Iowa from and after July 1, 2006. The notice shall advise the client that Respondent's registration was lapsed when the services were provided. Copies of the notices which include the client's current address and telephone number shall be submitted to the Board no later than May 31, 2007.

D. Future Compliance

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

AGREED AND ACCEPTED:

The Respondent



Paul W. Miller

May 7, 2007
Date

Iowa Landscape Architectural Examining Board



David Biehl, Chair

July 31, 2007
Date