

FILED 5/12/98 (Date)

BEFORE THE ARCHITECTURAL EXAMINING BOARD  
OF THE STATE OF IOWA

Board / Commission  
*[Signature]*  
Signature, Executive Officer

IN THE MATTER OF: )  
 )  
THEODORE ROZEBOOM )  
ROZEBOOM MILLER ARCHITECTS )  
2965 CASCO POINT ROAD )  
WAYZATA MN 55391 )  
 )  
RESPONDENT )

CASE NO. 97-11B  
SETTLEMENT AGREEMENT  
AND CONSENT ORDER

The Iowa Architectural Examining Board (Board) and Theodore Rozeboom (Respondent) enter into this Settlement Agreement and Consent Order (Order), pursuant to Iowa Code section 17A.10 and 544A.29(1997) and 193B IAC 5.7.

1. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C and 544A (1997).
2. Respondent is a registered architect in Iowa.
3. Respondent does not contest the Statement of Charges to be filed with this Order.
4. Respondent has a right to hearing on the charges, but waives his right to hearing and all attendant rights including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, the Order shall have the force and effect of a disciplinary order entered following a contested case hearing.
5. 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.

6. 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 disciplinary action to be imposed in the event of any future violations.

7. This Order and the Statement of Charge are public records available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (1997).

8. Failure to comply with the provisions of this Order shall be considered prima facie evidence of a violation of Iowa Code Section 544A.13(3) (1997), and shall be grounds for disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (1997). However, no action may be taken against the Respondent for violations of these provisions without a hearing or waiver of hearing.

9. 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:**

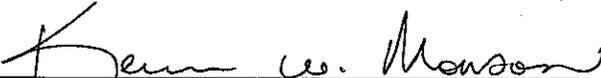
**A. Reprimand**

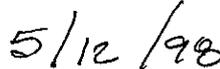
The Respondent is reprimanded for practicing architecture prior to valid registration.

**B. Civil Penalty**

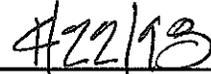
Respondent agrees to pay a civil penalty of five hundred dollars (\$500.00) by May 30, 1998.

**Agreed:**

  
By: **Kevin W. Monson, President**

  
Date

  
**Theodore Rozeboom**

  
Date

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

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|                                   |   |                             |
|-----------------------------------|---|-----------------------------|
| <b>IN THE MATTER OF:</b>          | ) |                             |
|                                   | ) | <b>CASE NO. 97-11B</b>      |
| <b>THEODORE ROZEBOOM</b>          | ) |                             |
| <b>ROZEBOOM MILLER ARCHITECTS</b> | ) |                             |
| <b>REGISTRATION NO. 3883</b>      | ) | <b>STATEMENT OF CHARGES</b> |
|                                   | ) |                             |
| <b>RESPONDENT</b>                 | ) |                             |

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**COMES NOW** the complainant, Glenda Loving, and states:

1. The Complainant is the Executive Secretary 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 chapters 17A, 272C and 544A (1997).
3. On August 11, 1997, the Board issued Theodore R. Rozeboom, the Respondent, a certificate of registration as an architect, registration number 3883. On February 17, 1998, the Board issued an Authorization to Practice Architecture as Business Entity to Rozeboom Miller Architects.
4. Respondent's architectural registration is in good standing until June 30, 1999. The Authorization to Practice Architecture as a Business Entity is valid through June 30, 1998.

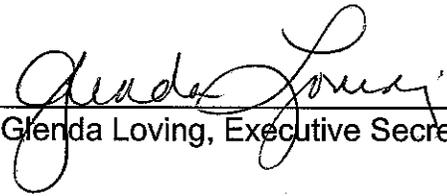
**Count 1**

Respondent is charged with practicing architecture as defined by Iowa Code section 544A.16(10), prior to being properly registered in Iowa in violation of Iowa Code sections 544A.13(3) and 544A.15(1) and 193B IAC 4.1(4)(c).

**Circumstances**

1. Respondent issued a report titled "District-Wide Master Facilities Plan, Linn-Mar Public Schools," dated November 16, 1996. In correspondence to the board dated September 17, 1997, Respondent acknowledged he had performed these services.
2. Respondent entered a contract with Linn-Mar Community Schools on May 1, 1997 offering to perform architectural services.

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 Secretary

**FINDING OF PROBABLE CAUSE**

On April 7, 1998, the Iowa Architectural Examining Board found probable cause to file this Statement of charges and to order a hearing be set in this case.

  
\_\_\_\_\_  
Kevin W. Monson, President