

FILED Nov. 22, 2011 (Date)

BEFORE THE ARCHITECTURAL EXAMINING BOARD  
OF THE STATE OF IOWA

Arch  
Board / Commission

Signature, Executive Officer

<b>IN THE MATTER OF:</b>	)	<b>Case No. 11-014, 11-015</b>
	)	
Stephen J. Wieand	)	
Architect registration 5158	)	<b>STATEMENT OF CHARGES</b>
	)	<b>CHARGES AND CONSENT ORDER</b>
Respondent.	)	<b>IN DISCIPLINARY CASE</b>

**A. Statement of Charges**

1. The Iowa Architectural Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 544A (2011).

2. Respondent was issued Iowa registration number 05158 on the 27th day of March, 2000. His registration lapsed on July 1, 2009 and was not reinstated until January 25, 2010. Respondent continued to practice on his lapsed registration and was disciplined in Case No. 10-01.

3. Respondent allowed his registration to lapse a second time on July 1, 2011. He reinstated on October 13, 2011 after contact by the Board. Respondent again continued to practice while his registration had lapsed. His registration is now active until June 30, 2013.

4. Respondent started a new architectural business entity called Single-Source, LLC and marketed this name for several months before applying to register the business entity on October 13, 2011.

5. The Board charges Respondent with practicing architecture while his registration had lapsed in violation of Iowa Code sections 544A.1, 544A.13(1)(c), and 544A.15, and 193B IAC 2.5(1)(g), and with failure to timely register his business entity, as provided in Iowa Code section 544A.21.

6. 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**

7. 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.

8. 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.

9. 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.

10. 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 (2011).

11. 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) (2011). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

12. 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 architecture with a lapsed registration.

**B. Civil Penalty**

Respondent shall pay a \$1,000.00 civil penalty no later than sixty (60) days from the date the Board approves the signed order.

**C. Remedial Orders**

(1) Within sixty (60) days from the date the Board approves the signed order, Respondent shall mail written notice to all clients for whom he performed architectural services in the state of Iowa on and after July 1, 2011 through October 13, 2011. 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 within 5 days of mailing.

(2) Respondent shall recertify and reseal, as applicable, all documents certified or sealed while his registration was expired. Respondent shall provide proof of compliance no later than sixty (60) days after the date the Board approves the signed order.

**D. Education**

Within sixty (60) days of the date the Board approves the signed order, Respondent shall provide the Board proof of successful completion of the NCARB monolith entitled "Professional Conduct," which provides 10 hours of continuing education. Respondent shall not apply this course to the continuing education required for renewal.

**E. Future Compliance**

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

**The Respondent**

  
\_\_\_\_\_  
Stephen Weiland

        06/21/11          
Date

**Iowa Architectural Examining Board**

  
\_\_\_\_\_  
Martha Green, Chair

        3 JAN 2012          
Date