

FILED 8/26/00 (Date)

BEFORE THE IOWA ARCHITECTURAL EXAMINING BOARD Arch

Board / Commission  
*Glenda Lorenz*  
Signature, Executive Officer

In Re:	)	Case no. 2000-7
	)	
SPAHN & ROSE LUMBER	)	
1101 Jackson	)	CEASE AND DESIST ORDER
Dubuque IA 52001-5028	)	BY STIPULATION
	)	
Respondent	)	

The Iowa Architectural Examining Board ("Board") and Spahn & Rose Lumber Co. ("Spahn & Rose") stipulate to the following Cease and Desist Order pursuant to Iowa Code § 544A.15 (1999):

1. Spahn & Rose is a retail lumber business and advertised in the Dubuque Telegraph Herald offering "Architectural Design Services."

2. Spahn & Rose is not currently authorized to practice architecture as a business entity, nor does the firm employ any individual registered as an architect in Iowa under Iowa Code chapter 544A (1999).

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 or offering to engage in such practice. Pursuant to Iowa Code § 544A.15, it is unlawful for a person to engage in or offer to engage in the practice of architecture in this state or use in connection with the person's name the title "architect", "registered architect", "architectural designer", or imply that the person provides or offers to provide professional architectural services, or to otherwise assume, use, or advertise any title, word, figure, sign, card, advertisement, or other symbol or description tending to convey the impression that the person is an architect or is engaged in the practice of architecture unless the person is qualified by registration as provided by this chapter. The board is also authorized by Iowa Code § 544A.15 to impose a civil penalty upon a nonlicensee for the same violations.

4. The Board and Spahn & Rose have agreed to informally resolve the pending complaint concerning Spahn & Rose's advertisement.

5. Spahn & Rose agree that they will not in the future engage in the practice of architecture in Iowa, as defined in Iowa Code § 544A.16 (9), or represent to the public any ability to do so without first employing an architect registered in Iowa and applying for authorization to practice architecture as a business entity in Iowa. They agree to either comply with these requirements or refrain from advertising "architectural design services" or using any other term that might imply they are offering architectural design services not otherwise excepted under Iowa Code §544A.18.

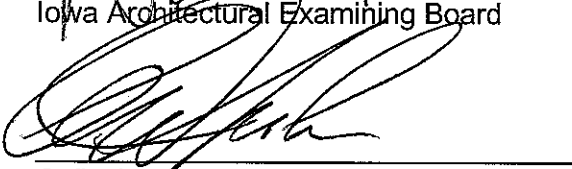
6. In the event this Stipulation is violated, it may be used as evidence in a subsequent enforcement action before the Board or in district court.

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

AGREED AND ACCEPTED:

  
\_\_\_\_\_  
Norman H. Rudi, President  
Iowa Architectural Examining Board

08-26-00  
Date

  
\_\_\_\_\_  
C. D. Spahn, President  
Spahn & Rose Lumber Co.

8/7/00  
Date