

BEFORE THE IOWA ARCHITECTURAL EXAMINING BOARD  
OF THE STATE OF IOWA

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IN THE MATTER OF:	)	CASE NO. 92-02
	)	
KENNETH B. WIND	)	
REGISTRATION NO. 2448,	)	INFORMAL SETTLEMENT
	)	
Respondent.	)	
	)	

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Pursuant to Iowa Code § 17A.10 (1992), this Informal Settlement is entered into between Kenneth B. Wind ("Wind") and the Iowa Architectural Examining Board ("Board"). The parties agree as follows:

1. The Board has jurisdiction over this matter pursuant to Iowa Code chapters 17A, 118, and 258A.
2. Wind is a registered architect in the State of Iowa and issued Iowa Registration Number 2448.
3. As a part of Wind's practice of architecture, he signed and sealed drawings and specifications that were not prepared by him or by a person working under his direct supervision and responsible charge in violation of Iowa Code §§ 118.13(8), 118.13(9), and 258A.8 as well as Iowa Administrative Code 193B-4.1 and 193B-5.1.

STIPULATED ORDER

It is, therefore, ordered, adjudged and decreed by the Iowa Architectural Examining Board as follows:

1. Wind has a right to a hearing on this matter, but waives a right to a hearing and all attendant rights by fairly entering into this Informal Settlement.

2. Wind is hereby reprimanded and subject to the following additional sanctions. Wind shall complete ten (10) hours of continuing education within twelve (12) months of the signing of this Informal Settlement. Such hours shall be taken in addition to all other continuing education hours required by law. Proof of compliance must be submitted to the Iowa Architectural Examining Board within thirteen (13) months of signing this Informal Settlement by the Board. In addition, Wind shall pay a \$100 civil penalty.

3. This Informal Settlement shall be made part of the permanent record of Wind and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed for any future violations.

4. This Informal Settlement and Complaint are public records available for inspection and copying in accordance with the requirements of chapter 22 of the Iowa Code.

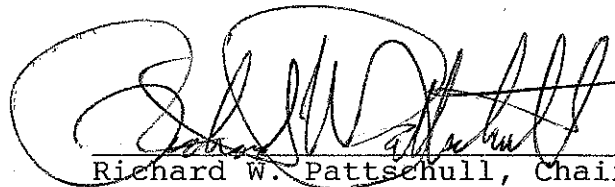
5. Failure to comply with the provisions of this Informal Settlement shall be considered prima facie evidence of a violation of Iowa Code § 118.13.

6. This Informal Settlement is subject to the approval of the Board. If the Board fails to approve this Informal Settlement, 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. If approved by the Board, this agreement shall be deemed and agreed upon disposition of a contested case proceeding and will dispose of all matters contained in Case Number 92-02. In addition, Wind consents to counsel for the public interest presenting this Informal Settlement to the Board and counsel's making ex parte communications to the Board while presenting it.

  
Kenneth B. Wind

Date: Nov. 4 1992

  
Richard W. Pattschull, Chair  
Iowa Architectural Examining  
Board

Date: 11/10/92

BEFORE THE ARCHITECTURAL EXAMINING BOARD  
OF THE STATE OF IOWA

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IN THE MATTER OF:	)	CASE NO. 92-02
	)	
KENNETH B. WIND	)	
Iowa Registration No. 2448	)	COMPLAINT
	)	
Respondent.	)	

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COMES NOW K. Marie Thayer, Executive Secretary of the Iowa Architectural Examining Board ("Board"), and files this Complaint against Kenneth B. Wind ("Respondent"), an architect registered pursuant to chapter 118 of the Iowa Code, alleges:

1. Respondent is a registered architect in the State of Iowa and issued Iowa Registration No. 2448.
2. The Board has jurisdiction over this matter pursuant to Iowa Code chapters 17A, 118, and 258A.
3. As a part of Respondent's practice of architecture, Respondent performed professional architectural services for the Midwest Children's Home in Peterson, Iowa.
4. In connection with the Midwestern Children's Home project, Respondent signed and sealed drawings and specifications.
5. The drawings and specifications were not prepared by the Respondent or by a person working under the Respondent's direct supervision and responsible charge.
6. The drawings and specifications were prepared by an unregistered individual who was not an employee of the

Respondent or working under the Respondent's direct supervision and responsible charge.

7. In addition, the drawings and specifications were prepared prior to Respondent's involvement in the project.

8. Pursuant to Iowa Code § 118.28 and Iowa Administrative Code § 193B-4.1(5)(118), a registered architect shall only sign and seal drawings, specifications, reports, and other professional work when the work was performed by the architect or under the architect's direct supervision and responsible charge.

9. By signing and sealing drawings and specifications not prepared by him or not prepared under his direct supervision and responsible charge, Respondent violated Iowa Code §§ 118.13(8), 118.13(9), and 258A.8 as well as Iowa Administrative Code §§ 193B-4.1(118,17A) and 193B-5.1(118).

WHEREFORE, the undersigned prays that this matter be set for hearing and that the Iowa Architectural Examining Board enter such sanctions against Respondent as it deems just and appropriate.

*K. Marie Thayer*  
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K. MARIE THAYER  
Executive Secretary  
Iowa Architectural Examining Board  
1918 S.E. Hulsizer  
Ankeny, Iowa 50021  
(515) 281-5596

Copy to:

Grant K. Dugdale  
Assistant Iowa Attorney General  
Hoover State Office Building  
Des Moines, Iowa 50319  
(515) 281-3395

**PROOF OF SERVICE**

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause by depositing a copy thereof in the U. S. Mail, postage prepaid, in envelopes addressed to each of the attorneys of record herein at their respective addresses disclosed in the pleadings, on 8-7, 1992

Karen Faust