

FILED 10/16/16 (Date)

Architecture
Board / Commission

Signature, Executive Officer

BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA

IN THE MATTER OF:

CASE NO. 16-09

Johnston Development Company
and Robert Johnston, President

CONSENT TO IMPOSE CIVIL
PENALTY

Respondent.

A. Statement of Facts

1. The Iowa Architectural Examining Board ("Board") has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C, and 544A (2015).
2. Robert Johnston is not a registered architect in Iowa. He is a president of Johnston Development Company, a construction company based in Altoona, Iowa.
3. The Board received a complaint in April 2016 alleging that Respondent offered architectural services to a client. The Board's investigation determined Respondent offered to perform architectural design services and did engage in the practice of architecture. For example, Respondent engaged in programming discussions with the client and prepared preliminary plans and design elevations before involving an Iowa registered architect.
4. The Board therefore found that Respondent offered architectural services to a client while unregistered and practiced architecture in violation of Iowa Code section 544A.15.

B. Consent Order

5. Respondent voluntarily submits this Consent Order to the Board for its consideration. By entering into this Consent Order, Respondent acknowledges and voluntarily waives his right to adjudicate the merits of the violation detailed above through a hearing before the Board, and all rights attendant to a contested case proceeding including the right to seek judicial review of the Board's actions.
6. This Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2015).
7. 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:

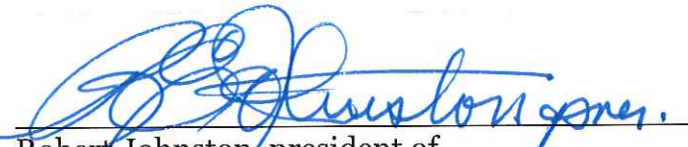
A. Agreement Not to Practice without a Valid Iowa Registration.

Respondent shall not in the future offer architectural services to the public unless he does so consistent with Iowa Code chapter 544A.

B. Civil Penalty. Respondent shall pay the sum of \$1000.00 in civil penalties to the Board (made payable to the State of Iowa) no later than 20 calendar days following the date the Order is signed by all parties.

C. Future Compliance. Respondent shall at all future times fully and promptly comply with all pertinent Orders of the Board and the statutes and Board rules regulating the practice of architecture.

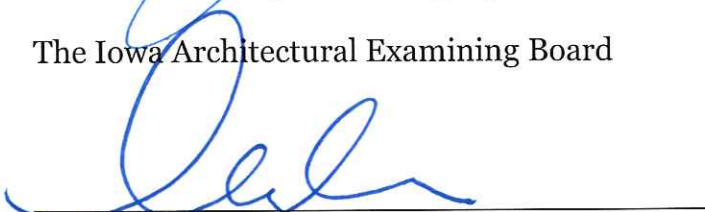
AGREED AND ACCEPTED:



Robert Johnston, president of
Johnston Development Company

The Iowa Architectural Examining Board

Date 9/23/16



By: Linda Alfson Schemmel, Chair

Date 10.6.2016

FILED 11.15.16 (Date)

BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA

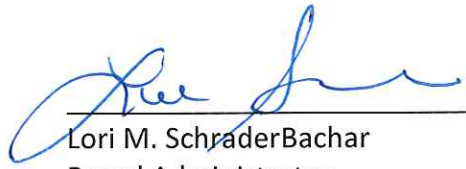
Architecture
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IN THE MATTER OF:) Case No. 16-09
)
Johnston Development Company)
and Robert Johnston, President) **RELEASE FROM CONSENT ORDER**
)
Respondent.)

Johnston Development Company and Robert Johnston, President have fully satisfied all terms and conditions of the Consent Order. The Respondent is accordingly released from the consent order and Case No. 16-09 is closed.

Issued this 15th day of November, 2016.


Lori M. SchraderBachar
Board Administrator
Iowa Architectural Examining Board