

BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA

IN THE MATTER OF:)	Case No. 18-03
)	
Brian Lee)	
Architect license 06654)	STATEMENT OF CHARGES
)	AND CONSENT ORDER IN
601 4 th Street, Apartment 3)	DISCIPLINARY CASE
Brookings, SD 57006)	
)	
Respondent.)	

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 (2017).
2. Respondent is currently a licensed architect whose license expires on June 30, 2019.
3. On or about July 19, 2017, Respondent renewed his license, which included submitting a form to the Board certifying he had completed the required 24 hours of continuing education for the previous biennium, per Iowa Administrative Code rule 193B—3.3(3).
4. In January, 2018, Respondent was selected for a continuing education audit and submitted verification of completion of 12.25 of the 24 required continuing education hours.
5. Respondent is charged with violating Iowa Administrative Code rule 193B—3.3(1) by failing to complete the required 24 hours of continuing education for the 2015-2017 biennium.
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 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 Iowa Administrative Code rule 193—7.4. Respondent acknowledges he had the opportunity to consult with legal counsel before signing this Consent Order.

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.

11. Failure to comply with the provisions of this Order may be grounds for further disciplinary action. 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. Continuing Education

Respondent agrees to attend twenty-three and one-half (23.5) hours of continuing education. These continuing education hours shall conform to the requirements of Iowa Administrative Code chapter 193B—3. These hours shall not count towards Respondent's continuing education requirement for renewal. Respondent is solely responsible for all costs associated with obtaining these hours. Respondent shall provide the Board proof of completion of the twenty-three and one-half (23.5) continuing education hours within sixty (60) days of the Board's approval of this Consent Order.

B. Civil Penalty

Respondent agrees to pay a civil penalty in the amount of fifty dollars (\$50) within thirty (30) days of the Board's approval of this Consent Order. All civil penalty payments shall be deposited into the State of Iowa general fund.

C. Future Compliance

Respondent is ordered to obey all applicable Iowa laws and rules in the future.

The Respondent



Brian Lee

4-25-18

Date

Iowa Architectural Examining Board



President

5/17/18

Date