

FILED 5.17.17 (Date)

BEFORE THE ARCHITECTURAL EXAMINING BOARD
OF THE STATE OF IOWA

Architectural
Board / Commission

Signature, Executive Officer

IN THE MATTER OF:)	Case No. 18-05
)	
Sar Schnucker)	
Architect license 05475)	STATEMENT OF CHARGES
)	CHARGES AND CONSENT ORDER
HGA)	IN DISCIPLINARY CASE
420 North 5th Street, Suite 100)	
Minneapolis, MN 55401)	
)	
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 was issued Iowa license number 03748 on June 15, 2005.

3. Respondent is a licensed architect in the state of Iowa. His license lapsed on July 1, 2009 and was reinstated on June 15, 2010. His license lapsed again on July 1, 2013, and was reinstated on June 25, 2014. His license lapsed on July 1, 2017 and has not been reinstated.

4. Respondent agrees he performed architectural services in Iowa during the period his license was lapsed.

5. Respondent agrees he provided the incorrect license renewal date on the seal block of technical submissions.

6. The Board charges Respondent with practicing architecture while his license had lapsed in violation of Iowa Code sections 544A.1, 544A.13(1)(c), and 544A.15, and 193B IAC 2.5(1)(g).

7. The Board further charges Respondent with including false information in the seal block when sealing and certifying technical submissions in violation of Iowa Code sections 544A.28 and 544A.29, and 193B IAC 4.1(7).

8. 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

9. 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 193 Iowa Administrative Code 7.4. Respondent acknowledges he had the opportunity to consult with legal counsel before signing this Consent Order.

10. 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.

11. 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.

12. 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 (2017).

13. 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) (2017). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

14. 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 license and failing to use correct seal information.

B. Civil Penalty

Respondent shall pay a \$500 civil penalty no later than thirty (30) days from the date the Board approves the signed order.


C. Remedial Orders

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, 2013 through June 25, 2014, and to all governmental bodies to whom sealed technical submissions were submitted between July 1, 2013 through June 25, 2014. The notice shall advise the client that Respondent's license was lapsed when the services were provided. Copies of the letters shall be submitted to the Board within 5 days of mailing.

D. Future Compliance

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

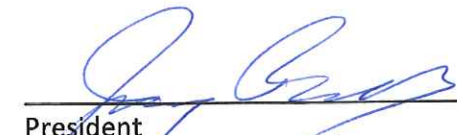
The Respondent



Sar Schnucker
5/14/2018

Date

Iowa Architectural Examining Board



President
5/17/18

Date