

FILED 1-17-19 (Date)

BEFORE THE ARCHITECTURAL EXAMINING BOARD  
OF THE STATE OF IOWA

Architecture  
Board / Commission

  
Signature, Executive Officer

IN THE MATTER OF: ) Case No. 18-27  
)  
Richard H. Janssen )  
Architect license 02699 ) STATEMENT OF CHARGES  
) AND CONSENT ORDER IN  
2225 Ironwood Court ) DISCIPLINARY CASE  
Ames, IA 50014 )  
)  
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 (2018).
2. Respondent holds architectural license number 02699, issued by the Board on September 30, 1986, which is active and due for renewal on June 30, 2020.
3. On or about July 2, 2018, Respondent renewed his license. The online renewal form asks "How are you providing your CE Unit requirements?" Respondent chose "Exempt – Registered < 12 Months." Respondent checked the "I Agree" box to the affidavit stating, "With my signature, I hereby affirm/attest that the information provided on this application is true and correct to the best of my knowledge and belief. All education reported has been completed prior to the date of this application." Respondent has been licensed for more than 12 months, and should have reported at least 24 hours of continuing education for the previous biennium, per Iowa Administrative Code rule 193B—3.3(1).
4. In October 2018, Respondent was selected for a continuing education audit. The Board deemed the Respondent's seminars were not compliant with Iowa Administrative Code rule 193B—3.3(2), which states that continuing education hours are only earned through structured educational activities.
5. Respondent provided erroneous information on his renewal application, which is a violation of Iowa Code section 544A.25(2)(b). The Board may deny an application based on a misstatement of this nature. Instead, the Board renewed the Respondent's license, but is now subjecting him to discipline based on his misstatement. Providing truthful information is important in the application process and more generally in the practice of architecture.
6. Respondent is charged with violating Iowa Administrative Code rule 193B—2.5(1), 3.3(1) and 3.3(3) by failing to complete the required 24 hours of continuing education

for the 2016-2018 biennium.

7. 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**

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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 48 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 48 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**

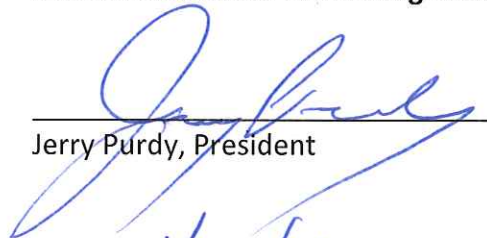
Respondent is ordered to obey all applicable Iowa laws and rules in the future.

**The Respondent**

  
Richard H. Janssen

12-4-2018  
Date

**Iowa Architectural Examining Board**

  
Jerry Purdy, President  
11/17/19  
Date