

BEFORE THE STATE BOARD OF ARCHITECTS

STATE BOARD OF ARCHITECTS \*

v.

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Case No. 12-AR-06

RANDY IFFT \*

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Respondent \*

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\* \* \* \* \*

SETTLEMENT AGREEMENT AND CONSENT ORDER

This matter comes before the State Board of Architects based on a complaint filed by Thomas Gorman, ("Complainant"), a Code Official for the Town of Snow Hill. The Respondent also filed with the Board an application for the renewal of his license which had expired on November 1, 2011. The Board was unable to approve the Respondent's application in light of the complaint and the fact that the Respondent had engaged in the practice of architecture without a current and valid license. The Board offered the Respondent the opportunity for a hearing on the application and the allegations of the complaint. The Board and the Respondent however have decided to resolve these matters by consent, and herewith agree to the entry of this Settlement Agreement and Consent Order as the final resolution of this case.

IT IS STIPULATED BY THE PARTIES THAT:

1. The Respondent was licensed by the State Board of Architects ("Board") to practice architecture in the State under License No. 12306. The Respondent's license to practice expired on November 1, 2011. The Respondent has applied to the Board for the reinstatement of his license. At all times relevant to this case, the Board had jurisdiction over the Respondent.
2. During the period in which the Respondent's architect's license was expired, he engaged in the practice of architecture and signed and sealed plans for the commercial improvements to a property located in Maryland.

3. On or about January 17, 2012, the Respondent submitted the plans for approval to the permitting authority. The Complainant checked the license status of the Respondent by contacting the Board and discovered that the Respondent's license had expired in November of 2011.

4. The Respondent acknowledges that his conduct violated the requirement for licensure to practice in Maryland before signing and sealing architectural plans, and specifically, was in violation of the Maryland Code Annotated, Business Occupations and Professions Article, §§ 3-601 and 3-603.

5. The Respondent admits that this is not the first time that he has been cited by the Board for providing architectural services while his license was expired. The Respondent states that he was aware that he could not renew his license once it expired in November of 2011, until he had resolved an outstanding issue with the State Comptroller's Office. The Respondent states that he was under the belief that he had resolved the issue and that his license would be released in time for the project. However, the Respondent's license was not renewed at the time he submitted the plans to the Town of Snow Hill.

6. The Respondent accepts a finding of a violation of the Maryland Architects Act, Maryland Code Annotated, Business Occupations and Professions Article, §§ 3-311(a)(1)(v), 3-601 and 3-603 in connection with this matter and agrees to pay a civil penalty of \$1,000 in connection with the violation. The penalty may be paid in six monthly installments, five installments in the amount of \$150, and the remaining installment of \$250 to be paid on or before July 31, 2013.

7. The Respondent further agrees that he will resubmit the plans at issue with the signature and seal of a duly licensed architect if he is requested to do so by the Town of Snow Hill.

8. The Respondent enters into this Consent Order freely, voluntarily, and with the opportunity to consult with legal counsel. The Respondent waives all rights to appeal or otherwise contest this Consent Order.

9. The Respondent further agrees that should he not make the monthly payments described in this Consent Order or not resubmit the plans at issue in this matter if requested or required by the Town of Snow Hill, upon written notice to the Respondent, his license to practice will be suspended by the Board and remain suspended until such time as he complies with the terms of this Settlement Agreement and Consent Order.

BASED ON THE STIPULATIONS OF THIS SETTLEMENT AGREEMENT AND CONSENT ORDER AND THE FACTS AND CIRCUMSTANCES OF THIS MATTER, IT IS THIS 28 day of January 2013, BY THE STATE BOARD OF ARCHITECTS,

**ORDERED** that the Respondent violated §§3-601 and 3-603 of the Business Occupations and Professions Article, Maryland Code Annotated, and

**ORDERED** that the Respondent will pay a civil penalty in the amount of One Thousand Dollars (\$1,000.00) in connection with the violation, and it is further

**ORDERED** that upon the Respondent's payment of the civil penalty and notice to the Board that, if required by the Town of Snow Hill, he has resubmitted the plans with the signature and seal of a duly licensed architect, the Respondent's application for the reinstatement of his architect's license will be approved and his license to practice in the State reinstated, and it is further

**ORDERED** that the civil penalty may be paid in five monthly installments of \$150 each, and a final installment of \$250 paid on or before July 31, 2013, and

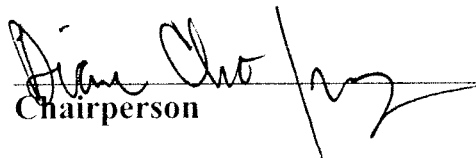
**ORDERED** that should the Respondent fail to comply with the agreements of this Settlement Agreement and Consent Order, upon written notice to the Respondent, his license will be automatically suspended by the Board, without a hearing, and will remain suspended until such time as the Respondent has complied with the terms of this Order, and

**ORDERED** that the records of the Board reflect that this complaint was resolved in accordance with the terms of this Settlement Agreement and Consent Order.

  
Randy Ifft, Respondent

Date: 26 Jan 13

STATE BOARD OF ARCHITECTS

  
Chairperson