

BEFORE THE STATE BOARD OF ARCHITECTS

STATE BOARD OF ARCHITECTS	*	
V.	*	Case No. 03-AR-23
ANDRE WILLIAMSON	*	
4166 Bluebird Drive		
Waldorf, Maryland 2060,		
Respondent	*	
* * * * *		

CONSENT ORDER AND SETTLEMENT AGREEMENT

This matter comes before the State Board of Architects (“Board”) as the result of a complaint filed by Thomas J. Wiley (“Complainant”) against Andre Williamson (“Respondent”). Based on the complaint and an investigation, the Board issued a Statement of Charges and Order for Hearing and transmitted the matter for a contested case administrative hearing to the Office of Administrative Hearings. The Office of Administrative scheduled an administrative hearing for March 21, 2024 at 9:30 a.m. at the Office of Administrative Hearings in Hunt Valley, Maryland, which has been postponed by agreement of the parties to May 6, 2024 at 9:30 a.m. To resolve this matter fully and finally without a hearing, the Board and the Respondent have agreed to enter this Consent Order and Settlement Agreement (“Consent Order”) to provide for the imposition of disciplinary measures that are fair, equitable, and in the best interest of the citizens of the State of Maryland.

The Board and the Respondent agree and stipulate as follows:

1. In 2021, a Pizza Boli’s franchisor engaged the Respondent to prepare architectural drawings for a Pizza Boli’s franchise to be located at 8738 Belair Road Nottingham, Maryland 21236 (“Pizza Boli’s project”).
2. On the architectural drawings the Respondent prepared for the Pizza Boli’s project, the Respondent identified the designer as “Andre Williamson, Kingdom Design and Build.”
3. Although the Board has never licensed the Respondent as an architect, on pages A-1 and A-2 of the architectural drawings the Respondent prepared for the Pizza Boli’s project, the “Professional Certification” states: “I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional architect under the laws of the State of Maryland, License No. 6338-A, Expiration Date 01-09/21.”
4. The Complainant has been a duly licensed architect in the State of Maryland since 1983 holding license registration number 6338-A but the Complainant neither prepared nor approved the architectural drawings for the Pizza Boli’s project.

5. The Respondent affixed the Complainant's architectural seal and license registration number 6338-A on pages A-1 and A-2 of the architectural drawings for the Pizza Boli's project without the Complainant's knowledge, authorization, or consent.

6. On or about June 28, 2021, Robert Norris of Allen-Norris Permitting and Inspections submitted the architectural drawings Respondent prepared for the Pizza Boli's project that included the Complainant's architectural seal and license registration number to the Baltimore County Department of Permits, Approvals, and Inspections along with an application for a building permit that identified the "Engineer/Architect" as Moses Clarence Mobley.

7. The Respondent used an architectural drawing Complainant had prepared for a Tropical Smoothie Café as a blueprint example for the Pizza Boli's project. The Respondent inadvertently failed to remove the Complainant's architectural seal and license registration number when he submitted the architectural drawings for the Pizza Boli's project.

8. The Respondent was working in conjunction with Moses Clarence Mobley on the submission of the architectural drawings that were submitted in connection with the Pizza Boli's project. With Mr. Mobley's authority, Respondent affixed Mr. Mobley's architectural seal and license registration number 6780-A on page A-0 of the architectural drawings for the Pizza Boli's project but failed to affix Mr. Mobley's architectural seal and license number on pages A-1 and A-2 of the architectural drawings for the Pizza Boli's project.

9. Mr. Mobley has been a duly licensed architect in the State of Maryland since 1985 holding license registration number 6780-A, and according to the Respondent, Mr. Mobley had approved the architectural drawings for the Pizza Boli's project.

10. In 2023, the Complainant discovered that the Respondent had affixed his architectural seal and license number on pages A-1 and A-2 of the architectural drawings for the Pizza Boli's project after receiving a copy from the Baltimore County Department of Permits, Approvals, and Inspections.

11. On or about April 28, 2023, the Complainant filed a complaint against the Respondent with the Board. After an investigation, the Board issued a Statement of Charges and Order for Hearing alleging that, based upon the facts described above, the Respondent violated the Maryland Architect's Act, Md. Code Ann., Bus. Occ. & Prof. Art., §3-603, which provides:

§3-603 Misrepresentation as authorized practitioner.

Unless authorized under this title to practice architecture, a person may not represent to the public, by use of a title, including "architect", "licensed architect", or "registered architect", by a description of services, methods or procedures, or otherwise that the person is authorized to practice architecture in the State.

12. Pursuant to Md. Code Ann., Bus. Occ. & Prof. Art., §3-605, the Board may impose on a person who violates §3-603 a penalty not exceeding \$5000 for each violation after

considering the seriousness of the violation, the harm caused by the violation, the good faith of the violator, any history of previous violations by the violator, and any other relevant factors.

13. The Respondent desires and agrees to resolve this matter fully and finally, thereby avoiding the costs associated with the contested case administrative hearing and any potential appeals by entering this Consent Order. In furtherance thereof, in consultation with independent legal counsel, the Respondent agrees that based on the facts, allegations, and representations described above the Board has sufficient evidence to prove the Respondent has violated Md. Code Ann., Bus. Occ. & Prof. Art., §3-605 as the Board alleged.

14. The Respondent agrees to the entry of an Order finding that he has violated Md. Code Ann., Bus. Occ. & Prof. Art., §3-603 and, as penalty, imposing a civil penalty in the amount of one thousand five hundred (\$1500.00) payable within thirty (30) days of the date of this Consent Order.

15. The Respondent further agrees that he shall not engage in the practice of architecture in Maryland and shall not represent to the public, by use of a title, including “architect”, “licensed architect”, or “registered architect”, by a description of services, methods or procedures, or otherwise that the person is authorized to practice architecture in the State unless he becomes duly licensed as an architect in the State of Maryland.

16. By entering this Consent Order, the Respondent expressly waives any rights to: (a) a contested case administrative hearing before an Administrative Law Judge (“ALJ”) of the OAH to defend the charges; (b) the making of Findings of Fact and Conclusions of Law by an ALJ; and (c) seek judicial review of this Consent Order by a court of competent jurisdiction.

17. Having consulted with independent legal counsel regarding the negotiation and execution of this Consent Order, the Respondents hereby agree and acknowledge that they are entering this Consent Order knowingly, willingly, voluntarily, and with the advice of counsel.

18. In consideration of the foregoing, the Board agrees to accept this Consent Order and the full and final resolution of Case No. 03-AR-23.

19. The Board and the Respondent agree that upon execution of this Consent Order, the scheduled hearing in this matter shall be withdrawn from the OAH pursuant to COMAR 09.01.03.07A.

20. The Board and the Respondent further acknowledge and agree that this Consent Order does not in any way relate to, impact, or otherwise affect the legal rights of, or preclude the Board from bringing or continuing actions against persons not parties to this Consent Order and does not in any way prevent, preclude, or otherwise prohibit any consumer or other third party from pursuing any legal right, claim, or remedy at law relating to the facts or circumstances alleged in this Consent Order.

BASED ON THE AGREEMENTS AND STIPULATIONS IN THE CONSENT ORDER AND SETTLEMENT AGREEMENT, IT IS THIS 24 DAY OF April, 2024, BY THE STATE BOARD OF ARCHITECTS:

ORDERED that this Consent Order and Settlement Agreement resolves fully and finally Case No. 03-AR-23, and it is further

ORDERED that based upon the facts, allegations, and representations described in this Consent Order and Settlement Agreement, the Respondent has violated Md. Code Ann., Bus. Occ. & Prof. Art., §3-603, and it is further

ORDERED that the Respondent shall pay a civil monetary penalty of one thousand five hundred (\$1500.00) for the violation within thirty (30) days of the date of this Consent Order and Settlement Agreement, and it is further

ORDERED that the Respondent shall not engage in the practice of architecture in Maryland and shall not represent to the public, by use of a title, including “architect”, “licensed architect”, or “registered architect”, by a description of services, methods or procedures, or otherwise that the person is authorized to practice architecture in the State unless the Respondent becomes duly licensed as an architect in the State of Maryland, and it is further

ORDERED that the Board’s records and publications shall reflect the violation and the civil penalty imposed on the Respondent.

(Signatures on File)

AGREED:

April 24, 2024
Date

