

Probable Cause Panel Meeting February 3, 2004

On February 3, 2004, in [Disciplinary Cases](#), by Smith Thompson Law

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I. Unlicensed Cases

Losville Belvett

Case No. 2003-050618

Probable cause was found that Losville Belvett was not a licensed architect and contracted to perform architectural services for a residence for \$2,000.00 and never provided the plans. The contract specifically provides for architectural services and the invoices provided by the Subject indicate architectural services as well. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

Antonio E. Pagan

Platinum Design, Inc.

Case No. 2003-077407

Probable Cause was found that Antonio E. Pagan was not a licensed architect and prepared a proposal for the design of a fellowship hall addition to the Macedonia Primitive Baptist Church. Further, the firm's website offers full service drafting and design and lists commercial project in its design experience. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

Sam Carter

Case No. 2003-079935

Probable cause was found that Sam Carter is not licensed and contracted and provided architectural services on a commercial project. An Administrative Complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

Architektur

Robert Stueber

Case No. 2003-081736

Probable Cause was found that Architektur is offering architectural services without a certificate of authorization on a business card. A Notice and Order to Cease and Desist was issued, along with the requirement an affidavit be signed stating it will not offer or provide architectural services through Architektur unless it becomes properly licensed. If the affidavit is not returned, an Administrative Complaint seeking fines will be filed.

**Artmosphere
Joyce & Marcel Maison
Case Nos. 2003-078421 & 2003-078409**

Probable Cause was found that Artmosphere is offering architectural consulting and commercial design on its webpage. A Notice and Order to Cease and Desist was issued, along with the requirement an affidavit be signed stating it changed its' website and will not offer such services in the future. If the affidavit is not returned, an Administrative Complaint seeking fines will be filed.

**James L. Boyd
Case No. 2003-070650**

Probable cause was found that James L. Boyd is not licensed but works in a firm that is licensed and qualified by a licensed architect. Mr. Boyd entered into a contract with the complainant for plans for a home addition. The complainant paid Mr. Boyd \$1,250.00 but never received the plans. Mr. Boyd told the complainant he was an architect. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Boyd sign an affidavit stating he will refrain from holding himself out as an architect. If Mr. Boyd fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Jane Davis Doggett
Case No. 2003-084991**

Probable Cause was found that Jane Davis Doggett is not licensed and her website holds her out as an "Architectural/Graphic Design Consultant." A Notice and Order to Cease and Desist was issued, along with a request that Ms. Doggett sign an affidavit stating she changed her website and will refrain from offering such services in the future. If Ms. Doggett fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Jeff Dotson
Dotson Drafting
Case No. 2003-054308**

Probable Cause was found that Jeff Dotson is not licensed and is advertising as available to provide "Architectural Drafting & Design" and "Signed, Sealed & Engineered". The advertisement was located in the phone book. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Dotson sign an affidavit stating he changed his advertisements and will not offer such services in the future. If Mr. Dotson fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Environmental Design
Rafael Hidalgo
Case No. 2003-003599**

Probable Cause was found that Environmental Design is offering "Architectural Design" services in an advertising post card. Mr. Hidalgo was previously licensed as an interior designer; however, his license is currently in a null and void status. An administrative complaint was filed in a separate case for offering interior design services on the same post card with a Final Order being entered on June 24, 2003. Mr. Hidalgo never responded to that Administrative Complaint and he was defaulted. Mr. Hidalgo has not paid the fine and an action is pending in Circuit Court to collect those amounts. A Notice and Order to Cease and Desist was issued on this case, along with a request that Mr. Hidalgo sign an affidavit stating he will not offer architectural services in the future and he changed his advertisement. If Mr. Hidalgo fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Flame Interior Design
Case No. 2003-092710

Probable Cause was found that Flame Interior Design is not a licensed and is offering commercial design services in an advertisement. A Notice and Order to Cease and Desist was issued, along with a request that an affidavit be signed stating the business name will be changed to delete all references to commercial design services. If the affidavit is not returned, an Administrative Complaint seeking fines will be filed.

Zbigniew J. Jarosz
Jarosz Architects, P.A.
Case No. 2003-057346

Probable Cause was found that Zbigniew J. Jarosz is licensed but is offering architectural services without a certificate of authorization under the name "Jarosz Architects, P.A." Further, the firm's web page holds out three individuals as architects who are not licensed. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Jarosz sign an affidavit stating he will refrain from offering architectural services under the name Jarosz Architects, P.A. unless it becomes properly licensed. Also, he must edit the website to remove the designation of architect for the individuals that are not licensed. If Mr. Jarosz fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Dennis L. Klein
Case No. 2003-078445

Probable Cause was found that Dennis L. Klein is not licensed and he applied for an occupational license under the name "Kline Architecture". Further, the Subject's business card advertises "Soft Plan Architectural Design Software". A Notice and Order to Cease and Desist was issued, along with a request that Mr. Klein sign an affidavit stating he changed his business name and business card deleting all references to architecture. If Mr. Klein fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Wesley Livingston
Case No. 2003-081900

Probable Cause was found that Wesley Livingston is not licensed and entered into a contract with the Complainant for house plans. The Complainant paid the Subject \$500.00 but never received the plans and has been unable to locate him. The Subject told the Complainant he was an architect and his business card offers "a range of architectural styles". A Notice and Order to Cease and Desist was issued, along with a request that Mr. Livingston sign an affidavit stating he will refrain from holding himself out as an architect and he will change his business card deleting any reference to architecture or words to that effect. If Mr. Livingston fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Emanuel Mayer
Mayer Development Group
Case Nos. 2003-048140 & 2003-048150

Probable Cause was found that Emanuel Mayer is not licensed architect, but is a licensed general contractor. A complaint was filed with the Construction Industry Licensing Board. Mr. Mayer wrote his name on two proposals in the space labeled as Architect and in an invoice described his services as "architectural". A Notice and Order to Cease and Desist was issued, along with a request that Mr. Mayer sign an affidavit stating he changed his proposals and invoices to remove all references to architect or architectural and that he will not offer such services in the future. If Mr. Mayers fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Nasrallah Fine Architectural Design
Case No. 2003-092643

Probable Cause was found that Nasrallah Fine Architectural Design is offering architectural services without a certificate of authorization in advertisements, business cards, letterhead and on its web page. The firm of "Mark P. Nasrallah AIA, P.A." does have a certificate of authorization and Mr. Nasrallah is a licensed architect. A Notice and Order to Cease and Desist was issued, along with a request that an affidavit be signed stating it will refrain from offering architectural services under the name Nasrallah Fine Architectural Design unless it becomes properly licensed. If the affidavit is not returned, an administrative complaint seeking fines will be filed.

SGB Architects, LLC
Case No. 2003-046681

Probable Cause was found that the firm of Schuldt, Goza & Babineaux Architects, LLP is licensed to practice architecture; however, it is offering architectural services under the name of SGB Architects, LLC without a certificate of authorization. There is evidence the firm attempted to change its name with the Florida Department of Business and Professional Regulation. A Notice and Order to Cease and Desist was issued, along with a request that an affidavit be signed stating it will not offer or provide architectural services under the name SGB Architects, LLC unless it becomes properly licensed. If the affidavit is not returned, an administrative complaint seeking fines will be filed.

Randall E. Stofft Architects, P.A.
Case No. 2003-093589

Probable Cause was found that the firm of Randall E. Stofft Architects, P.A. offered architectural services in an advertisement of the December issue of BOCA Magazine. Although Mr. Stofft is a Florida licensed architect, Randall E. Stofft Architects, P.A. does not have a certificate of authorization to offer or provide architectural services. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Stofft sign an affidavit stating he will refrain from offering architectural services through Randall E. Stofft Architects, P.A. unless it becomes properly licensed. If Mr. Stofft fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

Strictly Additions
Case No. 2003-084845

Probable Cause was found that Strictly Additions is not licensed and its website offers architecture and its owner, who is a licensed general contractor, advertised as an architect. A Notice and Order to Cease and Desist was issued, along with a request that the owner sign an affidavit stating he changed the website and advertisement and will not offer such services in the future.

Randall Wytrval
Synergy, LLC
Case Nos. 2003-072405 & 2003-072377

Probable Cause was found that Randall Wytrval is not licensed. The firm's qualifier and architect in responsible supervisory control is licensed; however, he is working full time in another architectural firm. An administrative complaint was filed against the licensed architect. A Notice and Order to Cease and Desist was filed, along with a request that Mr. Wytrval sign an affidavit stating he will refrain from offering architectural services unless the firm has a full time architect in responsible supervisory charge.

II. Licensed Cases

J. Michael Ingram
Case No. 2003-004427

Probable Cause was found that J. Michael Ingram, a licensed architect, failed to comply with the terms of a final order. Mr. Ingram's license is now null and void. An Administrative Complaint seeking discipline was filed.

John W. Kemper
Case No. 2003-043189

Probable Cause was found that John W. Kemper, a licensed architect, was previously suspended for two years for failing to exercise proper responsible supervisory control. Prior to being suspended, Mr. Kemper signed and sealed a set of commercial drawings which based on the review of consultant, Frank Abbott, lack clarity and are below the standard of common architectural practice. An Administrative Complaint seeking discipline was filed.

Harold E. Langbehn
Case No. 2003-093637

Probable Cause was found that Harold E. Langbehn, a licensed architect in Florida, had his South Carolina license to practice architecture suspended for six months. The South Carolina Board found that Mr. Langbehn's design drawings for a church displayed a lack of competence and technical skill. An Administrative Complaint seeking discipline was filed.