

## **Probable Cause Panel Meeting March 26, 2007**

*On March 26, 2007, in [Disciplinary Cases](#), by Smith Thompson Law*

**March 26, 2007**

### **I. Unlicensed Cases**

#### **Adaptive Engineering Solutions, LLC**

**Kenneth J. Yurkovich**

**Case No. 2006-066163**

Probable cause was found that Kenneth Yurkovich, president of Adaptive Engineering Solutions, LLC, of Port Charlotte, Florida is a licensed engineer but is not licensed to practice architecture or interior design in Florida and is offering such services on his website and in an advertising flyer. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Yurkovich sign an affidavit stating he will refrain from offering architectural, interior design services or words to that effect and will change his advertising. If Mr. Yurkovich fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

#### **Albertsen Drafting Services, Inc.**

**Robert M. Albertsen**

**Case No. 2006-066503**

Probable cause was found that Albertsen Drafting Services, Inc. of Port Charlotte, Florida, is not licensed to practice architecture in Florida and is offering commercial design services in an advertisement. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Albertsen sign an affidavit stating he will refrain from offering architectural, commercial design services or words to that effect and will change his marketing material. If Mr. Albertsen fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

#### **Cole Creations Design, Inc.**

**Dave Swartz**

**Case No. 2007-000359**

Probable cause was found that Cole Creations Design, Inc. of Palm Coast, Florida, is not licensed to practice architecture in Florida and is offering architectural design services in a yellow page advertisement. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Swartz sign an affidavit stating he will refrain from offering architectural services and will change his advertisement deleting any references to architectural or words to that effect. If Mr. Swartz fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**DCB Design, LLC**  
**Douglas C. Burgmann**  
**Case No. 2006-066518**

Probable cause was found that DCB Design, LLC of Port Charlotte, Florida, is not licensed to practice architecture in Florida and is offering architectural services on a business card and on its website. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Burgmann sign an affidavit stating he will refrain from offering architectural services and will change his marketing material. If Mr. Burgmann fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**DYBA Designs**  
**Tina Dyba**  
**Case No. 2005-053220**

Probable cause was found that DYBA Designs is not licensed to practice interior design in Florida and is offering interior design services in the Miami Home and Décor magazine. Tina Dyba was previously served with a Notice and Order to Cease and Desist but failed to return the affidavit. An Administrative Complaint seeking fines was filed.

**Judith Ellis**  
**Rebecca Grace Interiors**  
**Case No. 2006-0056940**

Probable cause was found that Judith Ellis of Daytona Beach, Florida is not licensed to practice interior design in Florida and made a proposal to provide design services for the common area in a condominium complex. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**Victor Secondo Escalona**  
**Case No. 2006-063807**

Probable Cause was found that Victor Escalona of Miami, Florida is not licensed to practice architecture in Florida and contracted to provide architectural plans for a residential project. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**Marc Janecki**  
**Marc Janecki Design**  
**Case No. 2006-067913**

Probable cause was found that Marc Janecki of Palm Beach, Florida is not licensed to practice interior design or architecture in Florida and contracted to provide interior design services on a condominium project. Further, Mr. Janecki held himself out as an interior designer to the client and the contract offered architectural details. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**Michael P. O'Brien**  
**Case No. 2006-033373**

Probable Cause was found that Michael P. O'Brien of Tarpon Springs, Florida is a licensed professional engineer but not licensed to practice architecture in Florida. Mr. O'Brien signed and sealed plans for a commercial project without the involvement of an architect. Further, the architectural drawings were prepared by an unlicensed draftsman that entered into the contract with the client himself to provide architectural drawings. An Administrative Complaint seeking fines was filed.

**OEC Business Interiors, Inc.**  
**Case No. 2006-051217**

Probable cause was found that OEC Business Interiors, Inc. of Gainesville, Florida is not licensed to practice interior design in Florida and was advertising under the interior design section of the Ocala yellow pages. Further, Subject's website offers space planning and interior architecture. A citation was issued.

**Graciela Pagani**  
**Case No. 2006-034827**

Probable Cause was found that Graciela Pagani of Miami Beach, Florida is not licensed to practice interior design in Florida and is offering such services on her business card. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**Parfect Design, Inc.**  
**Case No. 2006-066870**

Probable cause was found that Parfect Design, Inc. of Safety Harbor, Florida, is not licensed to practice architecture and is offering architectural services in a newspaper advertisement and on its website. A Notice and Order to Cease and Desist was issued along with the requirement that Robert McCullen sign an affidavit stating that the firm will refrain from offering architectural services and will change the marketing material. If Mr. McCullen fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Residential Architectural Design & Drafting, Inc.**  
**Franz Paultre**

Probable cause was found that Residential Architectural Design & Drafting, Inc. of Clearwater, Florida is not licensed to practice architecture in Florida and provided architectural services to convert a residence to a commercial building. Mr. Paultre is doing business as Residential Architectural Design & Drafting, Inc. and such services are being offered without a certificate of authorization.

**R.C. Rowland & Associates, Inc.**  
**Rowland C. Obi**  
**Case No. 2006-039540**

Probable Cause was found that R.C. Rowland & Associates, Inc. of Tampa, Florida is a licensed engineering firm but not licensed to practice architecture in Florida. Mr. Obi contracted with a licensed architectural firm to provide architectural services for a commercial project. Further, such services are being offered through a corporation without a certificate of authorization. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**RFM Design Associates, Inc.**  
**Robert F. Machen**  
**Case No. 2007-000689**

Probable Cause was found that RFM Design Associates, Inc. of Port St. Lucie, Florida is not licensed to practice architecture in Florida and its title block on residential plans offers architectural consulting and lists a Florida licensed architect. Mr. Machen is offering such services through a corporation without a certificate of authorization. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**Dan Richardson**  
**Welcome Home, Inc.**  
**Case No. 2006-058099**

Probable cause was found that Dan Richardson of Daytona Beach, Florida, is not licensed to practice architecture and is offering architectural drafting on his title block. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Richardson sign an affidavit stating he will refrain from offering architectural services and will change the title block. If Mr. Richardson fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Mark Robinson**  
**Mark Robinson Design, LLC**  
**Case No. 2006-070054**

Probable Cause was found that Mark Robinson of Davie, Florida is not licensed to practice architecture in Florida and signed and sealed drawings for a residential project. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**Russell Design Associates, Inc.**  
**Frances M. Russell**  
**Case No. 2006-057655**

Probable Cause was found that Russell Design Associates, Inc. of Englewood, Florida is not licensed to practice architecture in Florida and contracted to provide architectural services for commercial and residential projects. The firms' contract offers to provide architectural

drawings. Further, Frances Russell is offering such services through a corporation without a certificate of authorization. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**Shoreline Designs, Inc.**  
**Richard Davis**  
**Case No. 2006-066454**

Probable cause was found that Shoreline Designs, Inc. of Jupiter, Florida, is not licensed to practice architecture and is listed under the architect heading of the yellow pages. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Davis sign an affidavit stating he will refrain from offering architectural services and will change the marketing material. If Mr. Davis fails to return the affidavit, an Administrative Complaint seeking fines will be filed

**Deborah M. Stevens**  
**Case No. 2006-059656**

Probable Cause was found that Deborah Stevens of Sarasota, Florida was a licensed interior designer but her license has been in a null and void status. Ms. Stevens continues to offer interior design services even though her license is null and void. A Notice and Order to Cease and Desist was issued and an Administrative Complaint seeking fines was filed.

**John Michael Takovich**  
**Keys Paradise Builders**  
**Case No. 2006-056390**

Probable cause was found that John Takovich of Big Pine Key, Florida is not licensed to practice architecture and is offering such services in a newspaper advertisement. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Takovich sign an affidavit stating he will refrain from offering architectural services and will change the yellow page advertisement. If Mr. Takovich fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

**Bing Udinsky**  
**Udinsky Architecture**  
**Case No. 2007-000397**

Probable cause was found that Bing Udinsky of Berkely, California is not licensed to practice architecture and is offering such services in a marketing letter and on its website. A Notice and Order to Cease and Desist was issued along with the requirement that Mr. Udinsky sign an affidavit stating he will refrain from offering architectural services and will change his business name and marketing materials. If Mr. Udinsky fails to return the affidavit, an Administrative Complaint seeking fines will be filed.

## **II. Licensed Cases**

**Steven J. Bruh**  
**Case No. 2006-045535**

Probable Cause was found that Steven Bruh of West Palm Beach, Florida, a licensed architect in the State of Florida violated chapter 481, Florida Statutes. Mr. Bruh signed and sealed drawings prepared by an unlicensed individual who prepared them for an apartment complex. The unlicensed individual presented the drawings to the Architectural Review Committee of the City of Pompano Beach. Mr. Bruh was not present during this presentation. An Administrative Complaint seeking discipline was filed.

**Kenneth Buyyounouski**  
**Case No. 2006-065864**

Probable Cause was found that Kenneth Buyyounouski of Wycoff, New Jersey is a licensed architect who failed to satisfy the terms of a final order that was entered on September 5, 2006. The final order imposed a \$1,000.00 fine and costs of \$135.00 be paid within thirty days of the imposition of the final order. Mr. Buyyounouski failed to make the payments required by the final order. An Administrative Complaint seeking discipline was filed.

**Paul Christopher Charette**  
**Case No. 2006-064879**

Probable Cause was found that Paul Charette of Boca Raton, Florida, a licensed architect in the State of Florida violated chapter 481, Florida Statutes. Mr. Charette signed and sealed drawings prepared by an unlicensed individual who entered into a contract to provide architectural drawings. Mr. Charette never met with the client. An Administrative Complaint seeking discipline was filed.

**Pegi De Mayo**  
**Case No. 2006-039613**

Probable Cause was found that Pegi De Mayo of Maitland, Florida, a licensed interior designer in the State of Florida violated chapter 481, Florida Statutes. The complaint was initiated based on an audit of the continuing education credits claimed by Ms. De Mayo when she renewed her license. Ms. De Mayo affirmed at renewal that she had completed the required hours. Ms. De Mayo was chosen for the audit and has not provided any proof of continuing education hours during the audit period. An Administrative Complaint seeking discipline was filed.

**Robert Fullan**  
**Schaardt & Fullan Architects, P.C.**  
**Case No. 2007-000843**

Probable Cause was found that Robert Fullan of Hobe Sound, Florida, a licensed architect in the State of Florida violated chapter 481, Florida Statutes. Mr. Fullan signed and sealed plans for a residential project that contained the title block of a firm that is unlicensed and is offering architectural services. Further, Mr. Fullan is offering architectural services through a business

entity without a certificate of authorization. An Administrative Complaint seeking discipline was filed.

**Shelley O. Landry**  
**Case No. 2006-063992**

Probable Cause was found that Shelley Landry of Baton Rouge, Louisiana is a licensed interior designer who failed to satisfy the terms of a final order that was entered on September 5, 2006. The final order imposed a \$500.00 fine be paid within thirty days of the imposition of the final order. Ms. Landry failed to make the payments required by the final order. An Administrative Complaint seeking discipline was filed.

**Donald L. Lurtz**  
**Case No. 2006-035970**

Probable Cause was found that Donald Lurtz of Tavares, Florida, a licensed architect in the State of Florida violated chapter 481, Florida Statutes. An engineering firm entered into a contract to provide signed and sealed plans for a residential project. Mr. Lurtz signed and sealed the drawings prepared by the firm without ever meeting with the clients. Further, Mr. Lurtz failed to include his license number in the title block. An Administrative Complaint seeking discipline was filed.

**Carlos Mourin**  
**Case No. 2006-028523**

Probable Cause was found that Carlos Mourin of Miami, Florida, a licensed architect in the State of Florida violated chapter 481, Florida Statutes. An unlicensed individual entered into a contract to provide signed and sealed plans for a residential project. Mr. Mourin signed and sealed the drawings prepared by the unlicensed individual without ever meeting with the clients. Further, Mr. Mourin abandoned the project even though he was paid in full prior to the permit being issued. An Administrative Complaint seeking discipline was filed.

**Ray M. Smith**  
**Cornerstone Design Services, LLC**  
**Case No. 2006-058736**

Probable Cause was found that Ray Smith of Valrico, Florida, a licensed architect in the State of Florida violated chapter 481, Florida Statutes. An unlicensed individual entered into a contract to provide signed and sealed plans for a residential project. Mr. Smith signed and sealed the drawings which were prepared by the unlicensed individual without ever meeting with the clients. Mr. Smith was paid by the unlicensed individual. Further, Mr. Smith is operating through a business entity without a certificate of authorization. An Administrative Complaint seeking discipline was filed.

**Richard T. Stagg**  
**Case No. 2006-065273**

Probable Cause was found that Richard Stagg of Ponce Inlet, Florida is a licensed architect who failed to satisfy the terms of a final order that was entered on September 5, 2006. The final order imposed a \$1,000.00 fine be paid within thirty days of the imposition of the final order. Mr. Stagg failed to make the payments required by the final order. An Administrative Complaint seeking discipline was filed.

**John Zona, III**  
**Case No. 2006-052030**

Probable Cause was found that John Zona of Jacksonville, Florida, a licensed architect in the State of Florida violated chapter 481, Florida Statutes. Mr. Zona alleged forged the signature of a professional engineer on a Release of Lien. An Administrative Complaint seeking discipline was filed.