

Probable Cause Panel Meeting January 17 2003

On January 17, 2003, in [Disciplinary Cases](#), by Smith Thompson Law

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I. Unlicensed Cases

A.D.C., Inc.

Case No. 2002-010784

Probable Cause was found that A.D.C., Inc. was offering architectural drafting. A Notice and Order to Cease and Desist was issued, along with a request that A.D.C., Inc. sign an affidavit stating it will no longer offer architectural drafting. If A.D.C., Inc. fails to return the affidavit, an administrative complaint seeking fines will be filed.

Bob Crawford

Crawford Design

Case No. 2002-009888

Probable Cause was found that Bob Crawford was offering residential architecture. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Crawford sign an affidavit stating he will no longer offer residential architecture. If Mr. Crawford fails to return the affidavit, an administrative complaint seeking fines will be filed.

**Barrington
Foster**

Case No. 2001-07333

Probable Cause was found that Barrington Foster was offering architectural drafting. A Notice and Order to Cease and Desist was issued, along with a request that Barrington Foster sign an affidavit stating he will no longer offer architectural drafting. If Barrington Foster fails to return the affidavit, an administrative complaint seeking fines will be filed.

Graham Gould

Kitchen Architects

Case No. 2002-00391

Probable Cause was found that Graham Gould was holding himself out as Kitchen Architects. A Notice and Order to Cease and Desist was issued, along with a request that Mr. Gould sign an affidavit stating he will no longer do business as Kitchen Architects unless properly licensed. If Mr. Gould fails to return the affidavit, an administrative complaint seeking fines will be filed.

Rafael Hidalgo

Case No. 2002-10779

Rafael Hidalgo was advertising architectural and interior design services. Mr. Hidalgo's interior design license was placed in a delinquent status on March 11, 2001, and he was never licensed to practice architecture. An administrative complaint seeking fines was filed, along with the issuance of a Notice and Order to Cease and Desist.

Monroe Lee

Case No. 2002-13382

The Florida Board of Architecture and Interior Design announces that on January 17, 2003, probable cause was found to file an administrative complaint seeking fines up to \$5,000.00 against unlicensed architect, Monroe Lee, Alachua, Florida.

Probable cause was found that Mr. Lee illegally offered and provided architectural services for the design of The Church of the Apostolic Faith. Rev. Earnest Jackson paid Mr. Lee \$1,300.00 for his services, before determining that Mr. Lee was not licensed.

After reviewing the evidence that showed Mr. Lee was offering and providing architectural services, the Board found probable cause to file an administrative complaint seeking fines up to \$5,000.00.

Team Architects

Case No. 2002-009705

Probable Cause was found that Team Architects was holding itself as an architect. A Notice and Order to Cease and Desist was issued, along with a request that Team Architects sign an affidavit stating it will change its name. If Team Architects fails to return the affidavit, an administrative complaint seeking fines will be filed.

II. Licensed Cases

Alvah Breitweiser
Case No. 2000-03544

On or about October 20, 1997, Alvah Breitweiser ("Respondent") and Karl Gaiser ("Gaiser"), entered into an agreement with Forest Oaks Lutheran Church to act as architects for a project which involved a new sanctuary and offices. On the Forest Oaks Lutheran Church project, Respondent and Gaiser did not execute a written agreement between themselves regarding each parties responsibility in violation of Rule 61G1-23.015(2), Administrative Code. Gaiser is not a licensed to practice architecture in the State of Florida. The aforementioned plans and drawings were prepared outside of Respondent's office. The Respondent functioned as essentially a "plan stamper" for Gaiser's plans since Gaiser is not licensed to practice architecture in the State of Florida. In preparation of the architectural and structural drawings contained in the Permit Drawings, Respondent was negligent in that he failed to exercise due care to conform acceptable standards of architectural practice in such a manner as to be detrimental to the public. Probable cause was found for negligence, plan stamping, and aiding and abetting unlicensed activity. An administrative complaint was filed.

Guillermo Gonzalez

Case No. 2001-07332

On or about April 17, 2000, Larry D. Jones ("Jones") contracted with A.D.C. Inc. for design services and preparation of construction documents for the construction of 18 single family town homes for the sum of \$86,400.00. A.D.C. Inc. is not licensed to practice architecture in the State of Florida. A.D.C. Inc. employed the services of Guillermo Gonzalez ("Respondent") for the required certification of the construction drawings. Jones was unaware that A.D.C. Inc. was not licensed or that A.D.C. Inc. employed the services of Respondent for the

required certification of the construction drawings. The Dade County Building Department rejected the construction documents certified by Respondent on January 23, 2001, for permit issuance. The construction documents certified by Respondent on January 23, 2001, failed to meet the title block requirements of Rule 61G1-16.004, Florida Administrative Code. Respondent did not supervise the preparation of the aforementioned plans and drawings. The aforementioned plans and drawings were prepared outside of Respondent's office. The Respondent functioned, as essentially a "plan stamper" for A.D.C. Inc.'s plans since A.D.C. Inc. is not licensed to practice architecture in the State of Florida. In preparation of the architectural and structural drawings contained in the Permit Drawings, Respondent was negligent in that he failed to exercise due care to conform acceptable standards of architectural practice in such a manner as to be detrimental to the public. Probable cause was found for negligence, plan stamping, and aiding and abetting unlicensed activity. An administrative complaint was filed.

Donald L. Morris

Case No. 2002-14031

The Florida Board of Architecture and Interior Design announces that on January 17, 2003, probable cause was found to file an administrative complaint seeking discipline against licensed architect, Donald L. Morris, Parkland, Florida.

Probable cause was found that Mr. Morris received an unsolicited gratuity of \$10,000.00 from First Construction, Inc., without the knowledge or consent of his client Dennis Kessler. It's a violation for an architect to solicit or accept gratuities from contractors for work that the architect is responsible without the knowledge of the architect's client.

After reviewing the evidence that showed Mr. Morris received an unsolicited gratuity, the Board found probable cause to file an administrative complaint seeking penalties up to revocation of Mr. Morris' architectural license.