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STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE
AND INTERIOR DESIGN

In the matter of Jeff Steiner
Architect
License Number 20162

STIPULATION AND ORDER

Board File No. 2003-0027

TO: Jeff Steiner
McGuire Courteau Lucke Architects, Inc.
400 St. Paul Building, 6 West 5th Street
St. Paul, MN 55102

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes §§ 214.10 and 326.111 (2004) to review complaints against architects, professional engineers, land surveyors, landscape architects, geoscientists, and certified interior designers, and to take disciplinary action whenever appropriate.

The Board received information concerning Jeff Steiner ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that the matter may now be resolved by this Stipulation and Order.

STIPULATION

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. Respondent initially received a license to practice architecture from the Board on October 5, 1989. Respondent's license expired on June 30, 2000. Respondent's license was renewed on August 22, 2005. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.

2. Facts. This Stipulation is based upon the following facts:
- a. Respondent was first licensed to practice architecture in the State of Minnesota on October 5, 1989.
 - b. On June 30, 2000, Respondent's license to practice architecture in the State of Minnesota expired.
 - c. Respondent admits that he held himself out to the public as an architect and practiced architecture during the period of July 1, 2000 and ending September 6, 2002. Respondent submitted a letter to the Board, dated November 6, 2002. In paragraph A of that letter, he states: "I did hold myself out to the public as an architect and I practiced architecture during the period beginning 30 June 2000 and ending between September 3 and September 6, 2002, during which time I had inadvertently allowed my license to lapse." A true and correct copy of the November 6, 2002 letter is attached as Exhibit 1.
 - d. Respondent admits that he practiced architecture with a lapsed license between June 30, 2000 and the date in the first week in September 2002 when he discovered that his architect license lapsed. Respondent submitted a copy of the signature block signed and dated July 18, 2001 for the Church of St. Patrick, Inver Grove Heights, Minnesota. In paragraph F of Respondent's letter to the Board dated

November 6, 2002, he states: "I stipulate that I inadvertently practiced architecture with a lapsed license between June 30, 2000 and the date in the first week in September that I discovered that my license had lapsed to the extent I prepared and signed construction documents for the Church of St. Patrick, Inver Grove Heights, Minnesota. I prepared and signed those documents with the good faith belief my license was in good standing. Although I am the architect of record for that project, Arnold Lucke, a licensed architect and the principal-in-charge of the project, supervised my work." A true and correct copy of the November 6, 2002 letter is attached as Exhibit 1. A true and correct copy of the signed signature block for the signed construction documents for the Church of St. Patrick, Inver Grove Heights, Minnesota is attached as Exhibit 2.

- e. Respondent stipulates that he participated in the project, All Saints Catholic Church, Lakeville, Minnesota, after his license expired. Respondent states in paragraph 1a of his letter dated November 6, 2002: "All Saints Catholic Church, Lakeville, Minnesota. The design and construction work for this project is complete. I prepared or supervised preparation of, and certified the construction documents for this project while my license was in good standing. The

certification dated April 19, 2000, is attached to this letter. After my license lapsed, but before I discovered it lapsed, I provided construction administration services for this project, including shop drawing review, site observations, and review and certification of pay requests. Although I am the architect of record for this project, Arnold Lucke, a licensed architect and principal-in-charge of the project, supervised my work." A true and correct copy of the November 6, 2002 letter is attached as Exhibit 1.

- f. Respondent renewed his architect license on August 22, 2005.
- g. Respondent is currently licensed as an architect by State of Minnesota with a license expiration date of June 30, 2008.

3. Violations. Respondent admits that the facts specified above constitute violations of Minn. Stat. §§ 326.02, subds. 1 and 2 (2004) and are sufficient grounds for the action specified below.

4. Enforcement Action. Respondent and the Committee agree that the Board should issue an Order in accordance with the following terms:

- a. Reprimand. Respondent is reprimanded for the foregoing conduct.
- b. Civil Penalty. Respondent shall pay to the Board a civil penalty of Five Thousand Dollars (\$5,000.00). Respondent shall submit a civil penalty of Five Thousand Dollars (\$5,000.00) by cashier's check or money order to the board within

sixty (60) days of the Board's approval of this Stipulation and Order.

5. Additional Discipline for Violations of Order. If Respondent violates this Stipulation and Order, Minn. Stat. ch. 326, or Minn. Rule ch. 1800 or 1805, the Board may impose additional discipline pursuant to the following procedure:

a. The Committee shall schedule a hearing before the Board. At least thirty days prior to the hearing, the Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Within fourteen days after the notice is mailed, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. At the hearing before the Board, the Complaint Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice or suspension or revocation of Respondent's license.

6. Waiver of Respondent's Rights. For the purpose of this Stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions,

statutes, or the rules of the Board, including the right to dispute the allegations against Respondent, to dispute the appropriateness of discipline in a contested case proceeding pursuant to Minn. Stat. ch. 14, and to dispute the civil penalty imposed by this Agreement. Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an Order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the Order by appeal, writ of certiorari, or otherwise.

7. Collection. In accordance with Minn. Stat. § 16D.17(2004), in the event this order becomes final and Respondent does not comply with the condition in paragraph 4(b) above, Respondent agrees that the Board may file and enforce the unpaid portion of the civil penalty as a judgment without further notice or additional proceedings.

8. Board Rejection of Stipulation and Order. In the event the Board in its discretion does not approve this Stipulation and Order or a lesser remedy than specified herein, this Stipulation and Order shall be null and void and shall not be used for any purpose by either party hereto. If this Stipulation is not approved and a contested case proceeding is initiated pursuant to Minn. Stat. ch. 14, Respondent agrees not to object to the Board's initiation of the proceedings and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Stipulation and the record.

9. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct,

or admission of Respondent justifying disciplinary action which occurred before or after the date of this Stipulation and Order and which is not directly related to the specific facts and circumstances set forth herein.

10. Record. The Stipulation, related investigative reports and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Stipulation.

11. Data Classification. Under the Minnesota Government Data Practices Act, this Stipulation and Order is classified as public data upon its issuance by the Board. Minn. Stat. § 13.41, subd. 4 (2004). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. ch. 13. They shall not, to the extent they are not already public documents, become public merely because they are referenced herein.

12. Entire Agreement. Respondent has read, understood, and agreed to this Stipulation and is freely and voluntarily signing it. The Stipulation contains the entire agreement between the parties hereto relating to the allegations referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

13. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

14. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

Jeff Steiner
Jeff Steiner

Dated: Oct. 30, 2006

COMPLAINT COMMITTEE

By: Billie Lawton Public Member
Billie Lawton, Public Member,
Committee Chair

Dated: 11-16, 2006

ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records and proceedings herein, all terms of the Stipulation are approved and hereby issued as an Order of this Board on this the 8 day of DECEMBER, 2006.

MINNESOTA BOARD OF
ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE AND
INTERIOR DESIGN

By: Harvey H. Harvala
Harvey H. Harvala, PE
Board Chair

RECEIVED
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6 November 2002

State of Minnesota
Board of Architecture, Engineering, Land Surveying,
Landscape Architecture, Geoscience and Interior Design
Attn: Patricia Munkel-Olson
85 East 7th Place, Suite #160
St. Paul, MN 55101

Re: Steiner, File No. 2003-0027

Dear Ms. Munkel-Olson:

In response to your letters dated 24 and 29 October 2002 and per our phone conversation last Friday, I am writing to stipulate to some of the allegations in the Board's complaint, to explain my actions, and to ask the Board to reinstate my license.

- A. I did hold myself out to the public as an architect and I practiced architecture during the period beginning 30 June 2000 and ending between September 3 and September 6, 2002, during which time I had inadvertently allowed my license to lapse.
- B. I discovered I allowed by license to lapse between September 3 and September 6, 2002, when I called the Board staff to notify them I had not received my 2002 renewal notice. It was my intention to submit my continuing education credits and renew for the year 2002. During that telephone call, Board staff member Shari Telega checked my records and informed me I had missed my year 2000 renewal. We discovered the Board had my previous address on file and as a result, I did not receive my 2000 renewal notice. I purchased a new house in December 1998 and failed to notify the staff of my address change. As I stated in my 7 October letter to the Board, I was not aware that my license had lapsed until I contacted the Board's staff the first week of September 2002.
- C. I have not held myself out to the public as an architect and I have not practiced architecture since I discovered my license lapsed and I will not hold myself out to the public as an architect or practice architecture until my license is reinstated.
- D. I have continued to work at the architectural firm of McGuire, Courteau, Lucke Architects, Inc. (also known as MCL Architects) under the supervision of Arnold Lucke, a licensed architect. Under Mr. Lucke's supervision, I provide design and construction administration services as an unlicensed member of the firm.
- E. I respond to each of the four requests for copies on documents in your October 24 letter as follows:

EXHIBIT I

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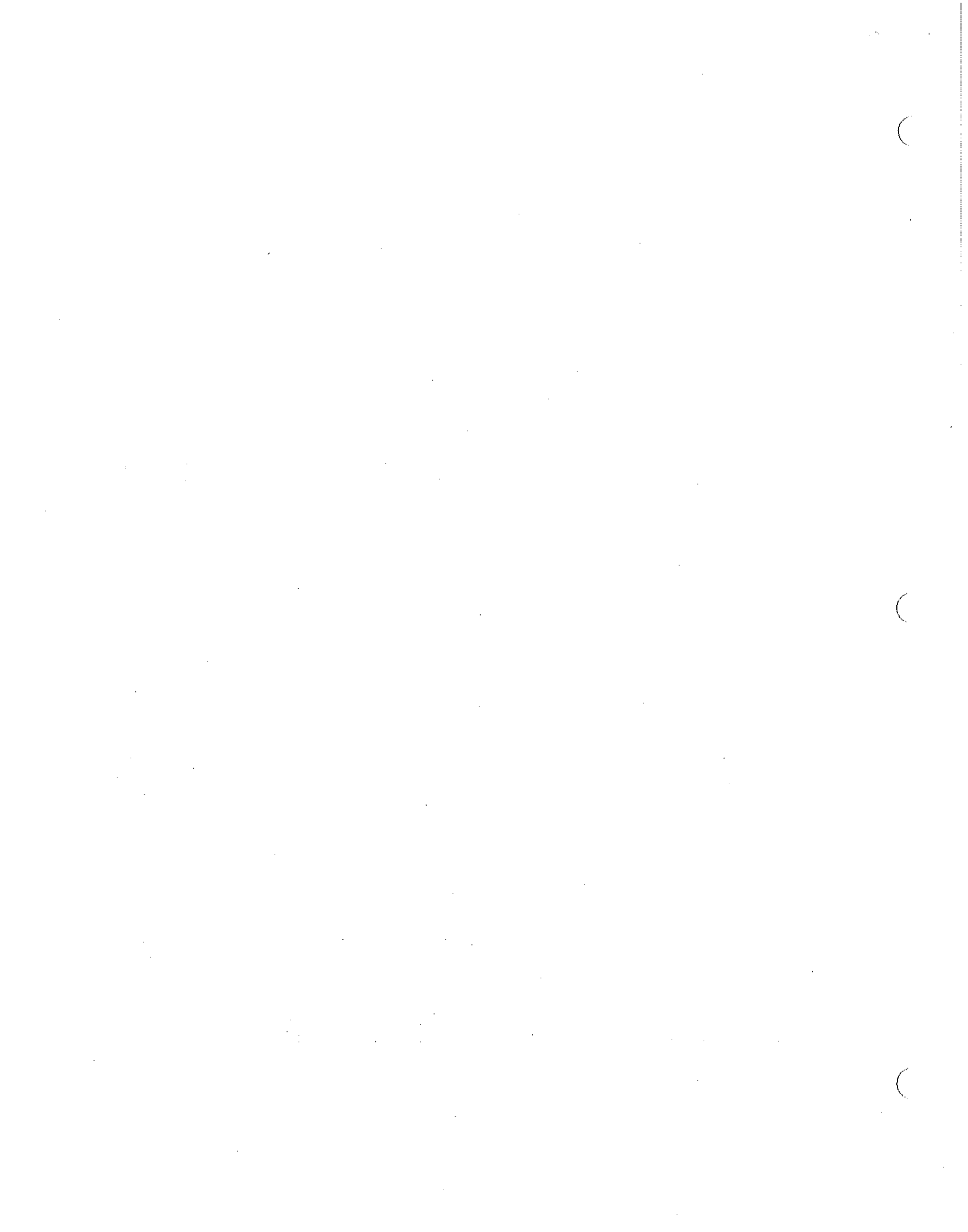
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1. I stipulate that I participated in each of the four projects listed in your letter as follows:
 - a. All Saints Catholic Church, Lakeville, Minnesota. The design and construction work for this project is complete. I prepared or supervised preparation of, and certified the construction documents for this project while my license was in good standing. The certification dated April 19, 2000, is attached to this letter. After my license lapsed, but before I discovered it lapsed, I provided construction administration services for this project, including shop drawing review, site observations, and review and certification of pay requests. Although I am the architect of record for this project, Arnold Lucke, a licensed architect and principal-in-charge of the project, supervised my work.
 - b. Church of St. John the Baptist, New Brighton, Minnesota. The design and construction work for this project is complete. I prepared or supervised preparation of, and certified a portion of the construction documents for this project while my license was in good standing. The certification dated May 19, 2000, is attached to this letter. Another architect in our office provided construction administration services for this project. I was not involved in the project after my license lapsed, except to discuss the project with the architects who assumed responsibility during the construction administration phase. Although I am the architect of record for this project, Arnold Lucke, a licensed architect and principal-in-charge of the project, supervised my work.
 - c. Church of St. Patrick, Inver Grove Heights, Minnesota. The design and construction work for this project is complete. I prepared or supervised preparation of, and certified the construction documents and provided construction administration services for this project after my license lapsed but before I discovered it lapsed. The certification dated July 18, 2001, is attached to this letter. Although I am the architect of record for this project, Arnold Lucke, a licensed architect and principal-in-charge of the project, supervised my work.
 - d. Church of St. John the Baptist, Jordan, Minnesota. The design work for this project is complete. Construction has not commenced as of this date. I performed design work for this project under the supervision of Arnold Lucke. Mr. Lucke is a licensed architect, the principal-in-charge of the project, and the architect who certified the construction documents. The certification dated September 9, 2002, is attached to this letter. Another architect in our office is scheduled to provide construction administration services for this project. I have not been involved in the project since my license lapsed, except to discuss the project with the architects who will be responsible during the construction administration phase.

(Please note I have attached copies of the certification blocks of the construction documents for each of the projects. Because I stipulate to my involvement in these projects, I am not providing copies of the correspondence and invoices. I will provide these additional materials if you want them.)

2. Copies of resumes used in our promotional materials are enclosed. This is an example of a resume used before we discovered my license had lapsed. We have not distributed promotional material since we discovered the lapse in September 2002. We will change my resume to delete any reference to myself as an architect.
3. I did not distribute business cards during the lapse period. Prior to the lapse period, our office moved its location. We have only recently printed cards and I have not distributed any.
4. Since June 30, 2000, I have not authored any professional articles.




- F. I stipulate that I inadvertently practiced architecture with a lapsed license between June 30, 2000 and the date in the first week in September that I discovered that my license had lapsed to the extent I prepared and signed construction documents for the Church of St. Patrick, Inver Grove Heights, Minnesota. I prepared and signed those documents with the good faith belief my license was in good standing. Although I am the architect of record for that project, Arnold Lucke, a licensed architect and the principal-in-charge of the project, supervised my work.
- G. To the extent allegations of the complaint relate to construction administration services I provided for the Church of St. Patrick, Inver Grove Heights, Minnesota, and all the services I provided in connection with the other projects, I provided those services with the good faith belief my license was in good standing and under the supervision and control of Arnold Lucke, the principal-in-charge of those projects.
- H. A licensed principal-in-charge supervises every MCL Architects project, including the projects I worked on since June 30, 2000, whether or not another licensed architect is also involved. Either Patrick McGuire or Arnold Lucke as principal-in-charge supervised all projects I worked on before and after June 30, 2000, including the Church of St. Patrick for which I am the architect of record.
- I. I discovered my license lapsed in the course of my own inquiries about the status of the license and I has scrupulously avoided holding myself out as an architect or practicing architecture since I discovered my license lapsed.
- J. During the period since my license lapsed, I have satisfied the Board's continuing education requirements and I have otherwise fulfilled the obligations of my license.

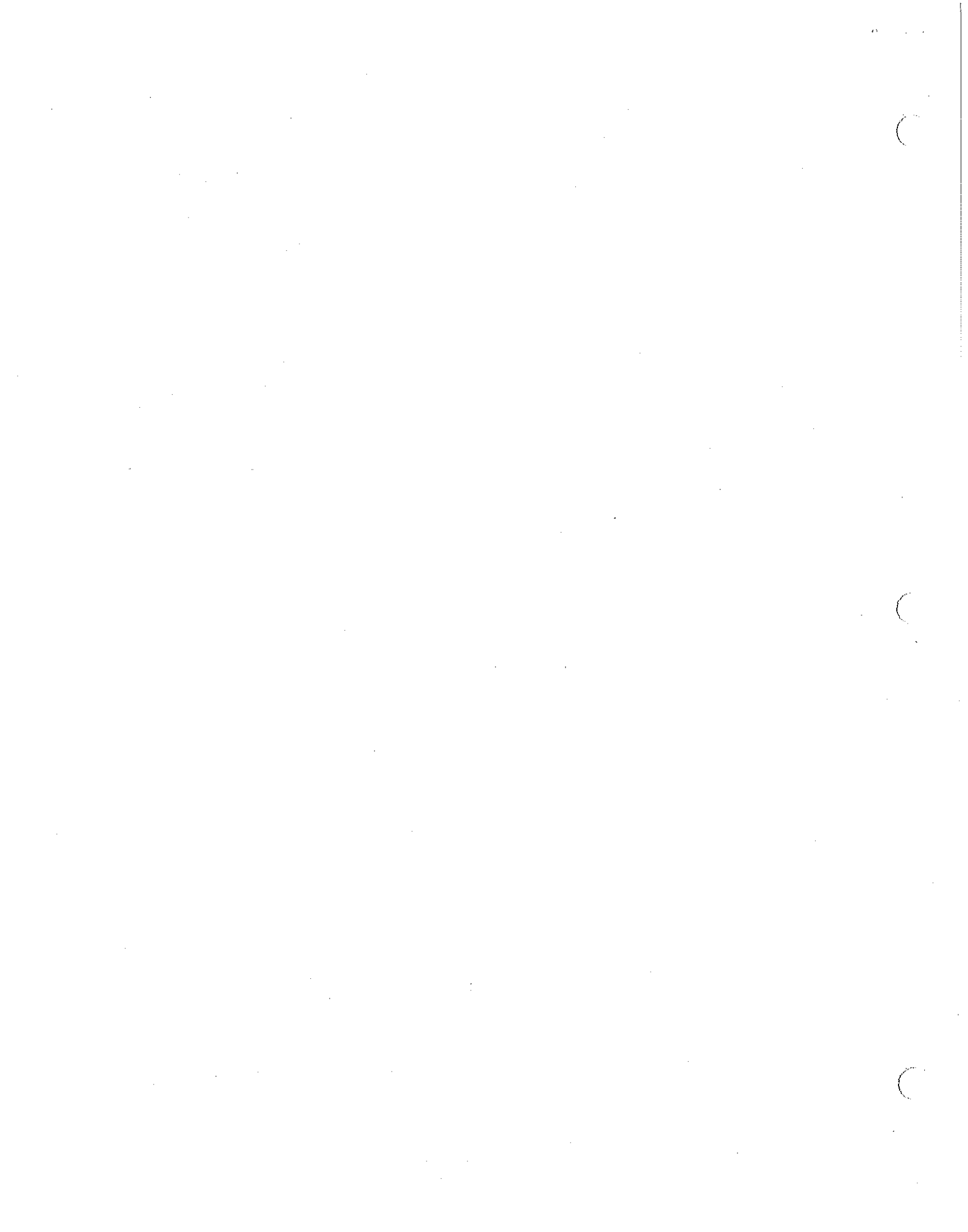
I do not offer any of the foregoing as an excuse for my failure to renew my license, but I respectfully ask the Board to consider that (a) I discovered the lapsed license myself and took action to correct the lapse immediately upon discovery and (b) the public safety interests that the Board and the licensing laws protect were not compromised by my actions because all of my services were performed under the direct supervision of another licensed architect.

Thank you for considering the foregoing in the Board's deliberations. I wish to fully cooperate with you and the Board. If any additional information is desired, please notify me.

Sincerely,



Jeff Steiner



SHEET NO.

A1.1

New Worship Center, Related Facilities and Remodeling CHURCH OF ST. PATRICK

3535 72nd. Street East, Inver Grove Heights, Minnesota

MCL

GUIRE COURTEAU LUCKE ARCHITECTS, INC.
400 Fifth Street, Suite 400 St. Paul, MN 55102 651.223.8451

STRUCTURAL CONSULTANTS
LARSON ENGINEERING OF MINNESOTA
3524 LaBore Road
Vadnais Heights, MN 55110
651.481.9120

CIVIL CONSULTANTS
LARSON ENGINEERING OF MINNESOTA
3524 LaBore Road
Vadnais Heights, MN 55110
651.481.9120

MECHANICAL CONSULTANTS
MECHANICAL-SYSTEMS DESIGN
289 E. 5TH Street
St. Paul, MN 55101
651.602.0456

ELECTRICAL CONSULTANTS
WUNDERLICH-MALEC
5501 Fell Road
Minnetonka, MN 55343
612.933.3222

I hereby certify that this plan was prepared by
me or under my direct supervision and that I
am a duly Registered Architect/Engineer
under the laws of the State of Minnesota.


Date 7.18.01 Reg. No. 20162

DATE
18 JUL 2001
DRAWN
T.G. J.H. EK C.R.
CHECKED
J.S.
JOB NO.
45901010

REVISED

EXHIBIT 2

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