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

In the matter of Stanley J. Ross
ARCHITECT
License Number 24982
Certified Interior Designer
Certificate Number C01149

STIPULATION AND ORDER

Board File No. 2011-0075 and
Board File No. 2013-0005

TO: Stanley J. Ross
13860 Fawn Ridge Way
Apple Valley, Minnesota 55124

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2010) and Minnesota Statutes section 326.111 (2010) 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 Stanley J. Ross ("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. The Respondent has been licensed by the Board as an

Architect since November 25, 1996 and has held a certification as a Certified Interior Designer (CID) in Minnesota since July 6, 1998. 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 as an Architect in the State of Minnesota on November 25, 1996.

b. On June 30, 2010, Respondent's Minnesota Architect license expired.

c. Respondent was issued a Certified Interior Designer (CID) certificate number C01149 by the Board on July 6, 1998.

d. Respondent allowed his CID certificate number C01149 to lapse on June 30, 2010.

e. Respondent renewed his Architect license and his certification as a Certified Interior Designer on February 24, 2011.

f. At the time of this Stipulation, Respondent's Architect license and certification as a Certified Interior Designer in the State of Minnesota are current, with an expiration date of June 30, 2014.

g. Respondent's Architect license and certification for CID lapsed from July 1, 2010 until February 24, 2011.

h. During the time the Respondent's Architect license lapsed, from July 1, 2010 to February 24, 2011, the Respondent held himself out and practiced as a "Licensed Architect" by signing and certifying the architectural plans for the

Wonderland Learning Center, located in Saint Paul, Minnesota, on February 4, 2011. Respondent signed and certified the architectural plans identified as:

- A0 Regulation info & Site
- A1 Existing
- A2 Floor Plan
- A3 Ceiling Plan
- A4 Toilet Plans/Elevations
- A5 Schedules

i. Respondent submitted his 'Application for License/Certificate Reinstatement through June 30, 2012' and signed an 'Affidavit for Reinstatement' on February 23, 2011 affirming that he did not represent himself as an architect without proper licensure nor will he do so until such time as his license has been reinstated by the Board. It is alleged that the Respondent misrepresented himself in the Affidavit for Reinstatement as he had certified the plans for the Wonderland Learning Center, located in Saint Paul, Minnesota, on February 4, 2011, as an architect, plans identified as 0A0, A1, A2, A3, A4 and A5.

j. In this same Affidavit for Reinstatement, Respondent affirmed that he did not perform or offer to perform architectural service until such time as his architecture license has been issued by the Board. It is alleged that the Respondent misrepresented himself in the Affidavit for Reinstatement as he had certified the architectural plans for the Wonderland Learning Center, located in Saint Paul, Minnesota, on February 4, 2011, identified as A0, A1, A2, A3, A4 and

A5.

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes section 326.02, subdivisions 1, 2 (2010), Minnesota Statues section 326.03, subdivision 1 (2010), and Minnesota Statutes section 326.111, subdivision 4 (a) (1) (3) (2010), and Minnesota Rules 1805.0200, subpart 2 (2011) and are sufficient grounds for the action specified below. Specifically, Respondent practiced architecture and held himself out as an architect during the time his Architect license lapsed. Additionally, Respondent misrepresented himself by completing the Affidavit for Reinstatement that he did not hold himself out as an Architect during the lapse of his architecture license and that he did not practice or offer to perform architectural services during the lapse of his architecture license.

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.

c. Ethics Course. Within six months (6) of the Board's approval of this Stipulation and Order, Respondent shall successfully complete, and submit acceptable documentation thereof to the Board, two (2) hours of

course(s) in professional ethics, which is/are approved in advance by the Complaint Committee. Completion of any courses for the two (2) hours of professional ethics instruction earned within six months (6) of the Board approval of this Stipulation and Order, that are being submitted for the purpose of fulfilling the professional ethics instruction required by this Order, shall not count toward any continuing education requirements in the 2012-2014 renewal period or beyond.

5. Additional Discipline for Violations of Order. If Respondent violates this Stipulation and Order, 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 Complaint Committee may submit affidavits responding to any affidavits submitted by Respondent. 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 Minnesota Statutes Chapter 14 (2010), 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 Minnesota Statutes section 16D.17 (2010), 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 thi-s 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 Minnesota Statutes Chapter 14 (2010), 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, Minnesota Statutes section 13.41, subdivision 5 (2010). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 (2010). They shall not, to

the extent they are not already public documents, become public merely because they are referenced herein. A summary of this Order will appear in the Board's newsletter. A summary will also be sent to the national discipline data bank pertaining to the practice of architecture.

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

Stanley J. Ross

Dated: April 9, 2013

SUBSCRIBED and sworn to before me on this the 9th day of April, 2013.

CATHERINE A EARLEY
Notary Public
Minnesota
My Comm. Expires
Jan 31, 2015

(Notary Public)

My Commission Expires:

01/31/2015

COMPLAINT COMMITTEE

Bruce Johnson, PG
Committee Chair

Dated: May 3, 2013

ORDER

Upon consideration of the foregoing Stipulation and Order and based upon all the files, records, and proceedings herein, all terms of the Stipulation and Order are approved and adopted and hereby issued as an Order of this Board this the 3 day of MAY, 2013.

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

By: ~~Lisa Hanni, LS~~ DOUGLAS C COOLEY PE
Board Chair

AFFIDAVIT OF SERVICE BY MAIL

RE: In the matter of Stanley J. Ross
ARCHITECT
License Number 24982
CERTIFIED INTERIOR DESIGNER
Certifcate Number C01149

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lynette DuFresne, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on this the 6th day of May, 2013, she served the attached **Stipulation and Order**, by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class and certified postage prepaid, and addressed to:

Mr. Stanley J. Ross
13860 Fawn Ridge Way
Apple Valley, Minnesota 55124

CERTIFIED MAIL
Return Receipt Requested
7010 0780 0001 5886 4931

Lynette DuFresne

Subscribed and sworn to before me on
this the 6th day of May, 2013.

Beverly A. Carey
(Notary Public)

BEVERLY A. CAREY
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31 2015