

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

In the Matter of

**STIPULATION AND
CONSENT ORDER**

John Bradshaw
Architect License No. 47911

Board File No. 2021-0021

STIPULATION

John Bradshaw ("Respondent") and the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design's Complaint Committee stipulate that, subject to Board's review and discretionary approval, the Board may issue a consent order that imposes the following sanctions:

- A. Respondent's Architect license, No. 47911, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326.111 (2020).
- B. Respondent shall cease and desist from the practicing as a professional engineer in Minnesota until such time as he becomes licensed as a professional engineer in the State of Minnesota.
- C. Respondent shall pay to the Board a civil penalty of Five Hundred Dollars (\$500). Respondent shall submit a civil penalty of \$500 by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Consent Order.
- D. Respondent shall remain law abiding and comply with all statutes and rules within the Board's jurisdiction. *See* Minn. Stat. §§ 326.02--.15 (2020) and Minn. R. chs. 1800 & 1805 (2021).

E. Respondent shall report in writing within ten days any and all violations of this stipulation and consent order to the Board's Executive Director.

Respondent and the Committee enter into this stipulation based on the following findings of fact, conclusions of law, and other stipulated provisions:

Findings of Fact

1. On December 24, 2020, Respondent's certification was put on project plans for a commercial building remodel.

2. The cover sheet of the project plans listed Respondent as the project architect, structural engineer, electrical engineer, mechanical engineer, and plumbing engineer. Under each heading, Respondent's contact information was listed, and he was cited as a, "Registered Design Professional" along with his Minnesota license number.

3. Respondent is not currently and never has been licensed by the Board as a Professional Engineer in the State of Minnesota.

4. On February 3, 2021, Respondent was sent an allegation letter.

5. On February 11, 2021, Respondent provided his response to the allegation letter. He explained that his being listed as the project structural engineer, electrical engineer, mechanical engineer, and plumbing engineer was inadvertent and that subsequent plans would be corrected. He also included structural calculations prepared by a Professional Engineer, which had been completed as part of the project.

6. Respondent acknowledged he did not maintain proper oversight over the use of his name on project documents prepared by his staff.

Conclusion of Law

1. The Board has authority to license and regulate architects and to take disciplinary action as appropriate. Minn. Stat. ch. 326.111 (2020).

2. Respondent violated Minnesota Statutes § 326.02, subds. 1 and 3 (2020), and Minn. R. 1805.0200, subp. 4(E) (2021).

3. This stipulation and consent order is in the public interest.

Other Stipulated Provisions

1. This stipulation and consent order must be approved by the Board to become effective.

2. Respondent agrees that the Committee may move the Board *ex parte*, with or without advance notice to the Respondent, to approve this stipulation and consent order. Respondent understands that the Board may either approve the stipulation and consent order or not approve it. This stipulation and the files, records, and proceedings associated with this matter may be reviewed by the Board in its consideration of the Committee's motion.

3. If approved by the Board, this stipulation and consent order shall be classified as public data. Minn. Stat. § 13.41, subd. 5 (2020). The Board will post a copy of this order on its website. The Board will also send a summary to the national discipline data bank pertaining to the practice of Architecture.

4. If the Board does not approve this stipulation and consent order, then the matter remains unresolved and the Committee may either seek to negotiate a revised stipulation and consent order with Respondent to present to the Board or issue an order commencing a contested-case hearing before an Administrative Law Judge at the Office of Administrative Hearings. *See* Minn. Stat. §§ 14.57–.62, 214.10, subd. 2 (2020) (describing administrative hearing process).

5. Respondent agrees that if this case comes before the Board again after it reviews and discusses this stipulation and consent order, Respondent waives any claim that the Board was prejudiced by its review and discussion of this stipulation and consent order and any records relating to it.

6. Respondent acknowledges that they were advised by the Committee of their right to a contested-case hearing in this matter before an Administrative Law Judge, to file exceptions and make argument to the Board after the hearing, and to seek judicial review from any adverse decision rendered by the Board. Respondent hereby expressly waives those rights. Respondent was further advised by the committee of their right to be represented by counsel and that they knowingly waives that right.

7. Respondent has read, understands, and agrees to this stipulation and has voluntarily signed it. It is expressly understood that this stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise. If approved by the Board, a copy of the final stipulation and consent order shall be served personally or by first class mail on Respondent. The Board's order shall be effective when it is signed by the Chair of the Board or the Chair's designee.

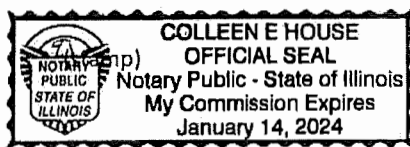
8. Pursuant to Minn. Stat. § 16D.13 (2020), any civil penalty imposed by this stipulation and consent order shall begin to accrue simple interest in accordance with that section thirty days after the civil penalty is due. Pursuant to Minn. Stat. § 16D.17 (2020), thirty days after any civil penalty imposed by this stipulation and consent order is due, the Board may file and enforce any unpaid portion of the civil penalty as a judgment against Respondent in district court without further notice or additional proceedings.

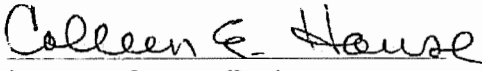

John Bradshaw, Architect

STATE OF Illinois

COUNTY OF Cook

This instrument was acknowledged before me on 8/10/2022 by John Bradshaw.




(Signature of notary officer)

My commission expires: 01/14/2024

COMPLAINT COMMITTEE


Eric Friske, JD
Chair

Dated: September 8, 2022

CONSENT ORDER

Upon consideration of this stipulation and consent order, and based upon all the files, records, and proceedings herein, all terms of the stipulation and consent order are approved.

Accordingly, the Board orders as follows:

A. Respondent's Architect license, No. 47911, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326.111 (2020).

B. Respondent shall pay to the Board a civil penalty of Five Hundred Dollars (\$500). Respondent shall submit a civil penalty of \$500 by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Consent Order.

C. Respondent shall cease and desist from the practicing as a professional engineer in Minnesota until such time as he becomes licensed as a professional engineer in the State of Minnesota.

D. Respondent shall remain law abiding and comply with all statutes and rules within the Board's jurisdiction. See Minn. Stat. §§ 326.02–.15 (2020) and Minn. R. chs. 1800 & 1805 (2021).

E. Respondent shall report in writing within ten days any and all violations of this stipulation and consent order to the Board's Executive Director.

MINNESOTA BOARD OF ARCHITECTURE,
ENGINEERING, LAND SURVEYING, LANDSCAPE
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DESIGN



Dated: September 8, 2022

Melisa Rodriguez, PE - Treasurer

~~PAUL VOGEL, LS~~

Board Chair