

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

In the Matter of

**SETTLEMENT AGREEMENT AND
CEASE AND DESIST ORDER**

Douglas Galler
Unlicensed

Board File No. 2022-0034

SETTLEMENT AGREEMENT

Douglas Galler (“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 settlement agreement and cease and desist order that imposes the following sanctions:

A. Respondent shall cease and desist from practicing architecture, except as exempted under Minn. Stat. § 326.03 (2020), until such time as he becomes licensed as an architect in the State of Minnesota.

B. Respondent shall pay to the Board a civil penalty of One Thousand Dollars (\$1000). Respondent shall submit a civil penalty of \$1000 by check to the Board within sixty (60) days of the Board’s approval of this Settlement Agreement and Cease and Desist Order.

C. 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).

D. Respondent shall report in writing within ten days any and all violations of this settlement agreement and cease and desist order to the Board’s Executive Director.

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

Findings of Fact

1. Respondent is not currently and never has been licensed by the Board as an architect in the State of Minnesota.
2. Respondent owns and operates a business in Minnesota focusing on residential homes.
3. On January 8, 2020, Respondent entered into a contract agreement for work on a home remodel in Minnesota. Respondent identified himself as an architect in the agreement.
4. In August 2020, the parties agreed to terminate the contract and Respondent became uninvolved in the project.
5. On November 5, 2021, a complaint allegation letter was sent to Respondent.
6. On December 6, 2021, Respondent's response was received by the Board.
7. Respondent acknowledged the contract used the term "architect" in some of its wording. He stated he used a standard contract he found online and after learning of this matter he updated the contract language to reflect that he is not an architect in the State of Minnesota.

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 2 (2020).

3. This settlement agreement and cease and desist order is in the public interest.

Other Stipulated Provisions

1. This settlement agreement and cease and desist 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 settlement agreement and cease and desist order. Respondent understands that the Board may either approve the settlement agreement and cease and desist order or not approve it. This settlement agreement 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 settlement agreement and cease and desist 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 settlement agreement and cease and desist order, then the matter remains unresolved and the Committee may either seek to negotiate a revised settlement agreement and cease and desist 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 settlement agreement and cease and desist order, Respondent waives any claim that the Board was prejudiced by its review and discussion of this settlement agreement and cease and desist 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 settlement agreement and has voluntarily signed it. It is expressly understood that this settlement agreement 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 settlement agreement and cease and desist 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 settlement agreement and cease and desist 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 settlement agreement and cease and desist 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.

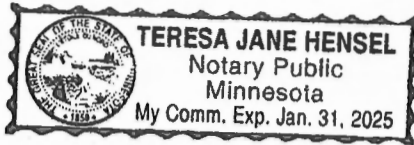

Douglas Galler

STATE OF Minnesota

COUNTY OF Washington

This instrument was acknowledged before me on 05/02/2022 by Douglas Galler.

(stamp)




(Signature of notary officer)

My commission expires: 01/31/2025

COMPLAINT COMMITTEE


Eric Friske, JD
Chair

Dated: MAY 12, 2022

CONSENT ORDER

Upon consideration of this settlement agreement and cease and desist order, and based upon all the files, records, and proceedings herein, all terms of the settlement agreement and cease and desist order are approved. Accordingly, the Board orders as follows:

A. Respondent shall cease and desist from practicing architecture, except as exempted under Minn. Stat. § 326.03 (2020), until such time as he becomes licensed as an architect in the State of Minnesota.

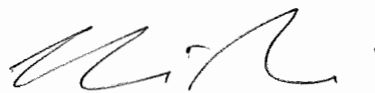
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C. Respondent shall remain law abiding and comply with all statutes and rules within the Board's jurisdiction. See Minn. Stat. §§ 326.02–.15 (2020) and Minn. R. chs. 1800 & 1805 (2021).

D. Respondent shall report in writing within ten days any and all violations of this settlement agreement and cease and desist order to the Board's Executive Director.

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

Dated: March 12, 2022



PAUL VOGEL, LS
Board Chair

Melisa Rodriguez, PE

STATE OF MINNESOTA
MINNESOTA BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE AND INTERIOR DESIGN
85 East 7th Place, Suite 160
St. Paul, MN 55101

CERTIFICATE OF SERVICE BY U.S. MAIL

Case Title: Douglas Galler
File No. 2022-0034

I, Holly Salmela, verify by oath or affirmation that on the 12th day of May, 2022, at the City of Saint Paul, in the county of Ramsey, in the State of Minnesota, served the Settlement Agreement and Cease and Desist Order by depositing a true and correct copy in the United States mail, properly enveloped, with first class postage prepaid and addressed to the following named individual(s) or entities at the address indicated below.

Douglas Galler
Woodland Design LLC
2410 Lisbon Ave N
Lake Elmo, MN 55042


Holly Salmela