

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

In the Matter of

**STIPULATION AND  
CONSENT ORDER**

Eames Richard Gilmore  
Architect License No. 19441

Board File No. 2023-0048

**STIPULATION**

Eames Richard Gilmore (“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. 19441, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326.111 (2022).

B. Respondent shall pay to the Board a civil penalty of Five Thousand Dollars (\$5,000). Respondent shall submit the civil penalty of \$5,000 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 (2022) 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.

F. Respondent shall submit to the Board reissuance of all plans executed during his lapse of licensure with revised peer review.

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. The Board first issued Respondent an Architect license on November 2, 1998.
2. Respondent's Minnesota Architect license expired July 1, 2022.
3. Respondent contacted the Board on February 6, 2023, after being notified by a city official of his expired license and stated he held out and practiced as an Architect with an expired license.
4. Respondent's application renewal received by the Board February 23, 2023, disclosed he signed and sealed five (5) store remodeling projects in his role as the Senior Director of Architecture for a Minnesota based corporation during his lapse in licensure from July 1, 2022 to February 23, 2023.
5. Respondent renewed his license on February 24, 2023.
6. In an email response to the Board on April 3, 2023, Respondent submitted one (1) additional remodel he reviewed, signed and sealed for permits while his license was lapsed.
7. Respondent was cooperative and responsive during the Board investigation.

#### **Conclusion of Law**

1. The Board has authority to license and regulate Architecture and to take disciplinary action as appropriate. Minn. Stat. ch. 326.111 (2022).

2. Respondent violated Minnesota Statutes § 326.02, subdivisions 1 and 3 (2022).
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 (2022). 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 (2022) (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 waive 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 (2022), 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 (2022), 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.

Eames Richard Gilmore  
Eames Richard Gilmore, Architect

STATE OF Minnesota

COUNTY OF Hennepin

This instrument was acknowledged before me on 10/3/23 by Eames Gilmore

(stamp)



Jayne M. Christiansen  
(Signature of notary officer)

My commission expires: 1/31/24

COMPLAINT COMMITTEE

Eric Friske  
ERIC FRISKE, JD  
Chair

Dated: October 31, 2023

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 hereby ADOPTS the stipulation and issues the ORDER described above.

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

Dated: 11/30, 2023

FOR   
MELISA RODRIGUEZ, PE  
Board Chair

DANIEL KELSEY, PE  
BOARD VICE CHAIR