

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

**In the matter of William N. Long, Jr.
ARCHITECT
License Number 16921**

STIPULATION AND ORDER

Board File No. 2015-0028

TO: William N. Long, Jr.
456 Florence Avenue
Oakland, California 94618

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2014) and Minnesota Statutes section 326.111 (2014) 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 William N. Long, Jr. ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that these matters 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 was first issued an Architect license by the Board on October 11, 1984. 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 October 11, 1984.

b. Respondent's Minnesota Architect's license is current with an expiration date of June 30, 2016.

c. Respondent affirmed in his on-line Architect license renewal application on June 18, 2014 at 12:08 AM, twenty eight (28) Professional Development Hours (PDH) earned from July 1, 2012 to June 30, 2014. Respondent affirmed three (3) carry over hours for the period of July 1, 2010 to June 30, 2012. Respondent affirmed a total of thirty one (31) PDH's for the 2014-2016 renewal period.

d. In a letter dated August 22, 2014, the Board notified Respondent that he had been selected as part of the Board's continuing education audit. On the Continuing Education Reporting form attached to the letter, it instructed the Respondent that he must submit supporting documentation for a minimum of twenty four (24) PDH's. Respondent did not respond to the Board's continuing education audit letter by September 30, 2014.

e. In a letter dated October 14, 2014, the Board notified Respondent a second time that he had been selected as part of the Board's continuing education audit and was required to provide supporting documentation for at least twenty four (24) PDH's earned from July 1, 2012 to June 30, 2014 by November 14, 2014. Respondent did not respond to the Board's second continuing education audit letter by November 14, 2014.

f. The Board sent an allegation letter to Respondent on January 28, 2015. Respondent did not respond to the Board's allegation letter by February 27, 2015.

g. The Board sent a second allegation letter to Respondent on March 10, 2015 by Regular U. S. Mail and by certified mail, return receipt number 7012 0470 0000 4959 0769. Respondent did respond to the allegation letter on April 7, 2015.

h. In Respondent's letter dated April 7, 2015, Respondent stated: "I need to start this response with a formal apology to you and the Board with respect to my inactivity and lack of cooperation regarding the earlier mailings and this formal complaint. I've received the notices and your most recent letter. My lack of response is due in part to procrastination, being extremely busy with work (as we all are), as well as a general frustration with my lack of suitable records."

i. In the same letter dated April 7, 2015, Respondent stated: "More specific to the complaint, I've researched my records in an attempt to formally substantiate my claims of continuing education and I find that I'm not able to justify my earlier claim adequately. I've not been keeping records of my activity as outlined in the Statutes. At the time I renewed my license, I made a sincere estimate of the hours in which I've participated in a variety of professional activities that I thought met the intent of the requirement. I recognize that this does not satisfy the documentation requirements." "In the final analysis, I've not kept the appropriate records to justify my continuing education, but I have participated in and kept current with the kind of professional development

activities appropriate for compliance with continuing education requirements.”

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes section 326.107, subdivisions 1 and 7, Minnesota Statutes section 326.111, subdivisions 4 (a) (1) and 4 (a) (8) (2014) and Minnesota Rules 1800.0100 (2013) and are sufficient grounds for the action specified below. Specifically, it is alleged that (a) after being requested to do so by the Board, Respondent failed to provide supporting documentation to substantiate twenty four (24) PDH's he claimed he earned between July 1, 2012 to June 30, 2014 when he renewed his Architect license online on June 18, 2014, and (b) Respondent failed to cooperate with the Board by not responding to the continuing education audit letters sent by the Board on August 22, 2014, October 14, 2014 and an allegation letter sent by the Board on January 28, 2015.

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. Suspension of License. Respondent's Architect license shall be suspended from the date of the Board Chair's signature below, until such time as Respondent complies with both of the following conditions:

(1) Respondent shall submit documentation satisfactory to the Board of having completed a minimum of twenty-four (24) professional development hours for the 2014-2016 renewal for continuing education as required by Minnesota Statutes section 326.107, subdivisions 1 and 7 (2014). To meet the statutory requirement for documentation of these professional development hours, Respondent

may submit documentation satisfactory to the Board for a combination of: (a) professional development hours earned from July 1, 2012 to June 30, 2014; (b) up to three (3) professional development hours of carry over hours earned from July 1, 2010 to June 30, 2012; and (c) professional development hours earned on or after July 1, 2014. Completion of any courses or activities for the professional development hours earned on or after July 1, 2014 that are being submitted for the purpose of fulfilling the twenty four (24) professional development hours required by this Stipulation and Order shall not count toward any continuing education requirements in the 2016-2018 renewal period or beyond.

AND

(2) Respondent shall pay to the Board a civil penalty of One Thousand Dollars (\$1,000.00). Respondent shall submit a civil penalty of One Thousand Dollars (\$1,000.00) 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. If and when the Board determines that Respondent has complied with the conditions listed in parts 4.b. 1) and 4.b 2) above, the Board will issue an order vacating the suspension of Respondent's Architect license and restore his license to an unconditional status, provided that Respondent has met all other requirements for "current" license status as set forth in Minnesota Statutes sections 326.02 to 326.15 (2014) and has paid all applicable fees.

d. Prohibitions. During the period of suspension of Respondent's Architect license, Respondent shall not:

(i) Perform, or offer to perform, any services in the State of Minnesota

required by law to be performed by an Architect as set forth in Minnesota Statutes sections 326.02 – 326.15 (2014) and Minnesota Rules Chapter 1800; nor

(ii) Use the title “Architect” in connection with his name, or solicit or contract to furnish services required by law to be performed by an Architect as set forth in Minnesota Statutes sections 326.02 – 326.15 (2014) and Minnesota Rules Chapter 1800, nor shall Respondent hold himself out in as an architect in any manner in the State of Minnesota.

5. 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 (2014), 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.

6. Collection. Pursuant to Minnesota Statutes section 16D.17 (2014), after ninety (90) days of the Board’s approval of this Stipulation and Order, the Board may file and enforce any unpaid portion of the civil penalty imposed by this Order as a judgment against the Respondent in district court without further notice or additional proceedings.

7. 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 Minnesota Statutes Chapter 14 (2014), 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.

8. 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.

9. 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.

10. 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 (2014). 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 (2014). 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.

11. 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.

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

13. 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.

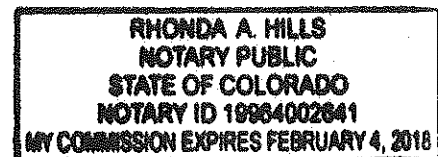
RESPONDENT

William N. Long, Jr.
William N. Long, Jr.

Dated: JUNE 26, 2015

SUBSCRIBED and sworn to before me on
this the 26th day of June, 2015.

Rhonda A. Hills
(Notary Public)



My Commission Expires:

February 4, 2018

COMPLAINT COMMITTEE

Terry Groshong
Terry Groshong, AR
Committee Chair

Dated: 8/5, 2015

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 6 day of August, 2015.

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

By: Mary Deeg
Mary Deeg, CID
Board Chair

AFFIDAVIT OF SERVICE BY MAIL

RE: In the matter of William N. Long, Jr.
ARCHITECT
License Number 16921

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 10th day of AUGUST, 2015, 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. William N. Long, Jr.
456 Florence Avenue
Oakland, California 94618

CERTIFIED MAIL
Return Receipt Requested
7006 0810 0006 3219 5404



Lynette DuFresne

Subscribed and sworn to before me on
this the 10th day of August, 2015.



(Notary Public)

