

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. 2015-0026

TO: Stanley J. Ross
Design 2 Build, Inc.
4892 Twins Court
Eagan, Minnesota 55123

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 Stanley J. Ross ("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 stipulated and agreed by Respondent and the Committee that without trial or adjudication of any issue of fact or law and without any evidence or admission by any party with respect to any such issue:

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 July 1, 2014, Respondent's Minnesota Architect license in the State of Minnesota expired.

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

d. On July 1, 2014, Respondent's Minnesota Certified Interior Design certificate in the State of Minnesota expired.

e. Respondent renewed his Minnesota Architect license and his certification as a Minnesota Certified Interior Designer on July 11, 2014.

f. At the time of this Stipulation and Order, Respondent's Architect license and certification as a Certified Interior Designer in the State of Minnesota are current.

g. Respondent affirmed on his Architect renewal application that was received by the Board on July 11, 2014, that he had thirty two (32) professional development hours (PDH).

h. Respondent affirmed on his Certified Interior Designer renewal application that was received by the Board on July 11, 2014, that he had thirty two (32) PDH.

i. 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.

j. 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 respond in a letter dated November 12, 2014.

k. In that letter dated November 12, 2014, Respondent stated: "I do not have any paper copies of my CE work. I have taken online CE credits for the past number of years and these credits are acknowledged once passed by the site and an email is sent confirming the passing and completion of the course. I however have had the unfortunate circumstance of my laptop failing in 2013 and my email for whatever reason stopped working and I have not had access to this account since late 2013." "I have taken one class this year for the period requested and several classes for the new reporting period but I do not have any records to back up my 2012-2014 CE requirements."

l. With his letter to the Board dated February 17, 2015, Respondent included a copy of his business card that was in effect during the expiration period, July 1, 2014 to July 11, 2014. The card contains a "Design 2 Build, Inc.

Architecture + Construction Management” heading. The business card also states: “Stan J. Ross, AIA, CID”. Respondent states: “I did not hand out any of these cards that I am aware of during this time frame.”

m. In a letter dated March 26, 2015, Respondent stated: “I did not keep proper records in that my electronic records were lost due to a failed laptop in 2013 as well as I lost access to my email account one morning in late July 2014 and needed to create a new email account. These records would have been captured on that email. My PDH time was taken online with free sites that offered these approved courses.” “I was not knowingly making statements to be false, but created this issue by not keeping paper records.”

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes section 326.02, subdivisions 1 and 4b (2014), Minnesota Statutes section 326.107, subdivisions 1 and 7 (2014), and Minnesota Statutes section 326.111, subdivision 4 (a) (8) (2014), and are sufficient grounds for the action specified below. Specifically, it is alleged that (a) Respondent held himself out as an Architect on his business card during the time of the license expiration from July 1, 2014 to July 11, 2014, (b) Respondent held himself out as a Certified Interior Designer on his business card during the time of the certificate expiration from July 1, 2014 to July 11, 2014, and (c) 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 and his Certified Interior Design certificate on July 11, 2014.

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 and Certificate. Respondent's Architect

license and Certified Interior Designer certificate 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 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 Certified Interior Design certificate and restore his license and certificate 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 and Certified Interior Design certificate, 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 or by a Certified Interior Designer as set forth in Minnesota Statutes sections 326.02 – 326.15 (2014) and Minnesota Rules Chapter 1800; nor

(ii) Use the title "Architect" or "Certified Interior Designer" in connection with his name, or solicit or contract to furnish services required by law to be performed by an Architect or a Certified Interior Designer as set forth in Minnesota Statutes sections 326.02 – 326.15 (2014) and Minnesota Rules Chapter 1800, nor shall Respondent hold himself out as an architect or a certified interior designer 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 is represented by Christina E. VonderHaar.

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.

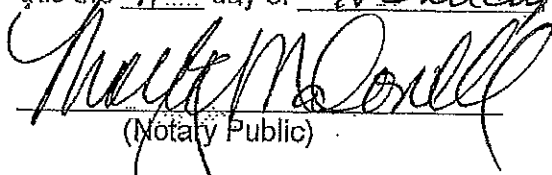
RESPONDENT



Stanley J. Ross

Dated: 1/11, 2016

SUBSCRIBED and sworn to before me on
this the 11 day of January 2016



(Notary Public)

My Commission Expires: _____
 **MARY E. MCDOWELL**
Notary Public-Minnesota
My Commission Expires Jan 31, 2020

COMPLAINT COMMITTEE

Terry Groshong Dated: 2/25, 20 16
Terry Groshong, AR
Committee Chair

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 26 day of FEBRUARY, 20 16.

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

By: Mary Deeg
Mary Deeg, CID
Board Chair

