

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

**In the matter of Charles Grant Mayes
Architect
License Number 19008**

**STIPULATION AND ORDER

Board File No. 2017-0031**

TO: Charles Grant Mayes
1500 4th Avenue Suite 510
Seattle, Washington 98101

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2016) and Minnesota Statutes section 326.111 (2016) 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 Charles Grant Mayes ("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. Respondent was first issued an Architect license by the Board on March 23, 1988. 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 March 23, 1988.

b. Respondent renewed his Minnesota Architect license on June 20, 2016.

c. At the time of this Stipulation and Order, Respondent's Architect license in the State of Minnesota is current.

d. Respondent renewed his Minnesota Architect license on-line on June 20, 2016 at 1:28 P.M. At that time, Respondent affirmed that he had fifty-eight (58) Professional Development Hours and he affirmed he had met the two (2) hours of ethics requirement.

e. In a letter dated September 23, 2016, the Board notified Respondent that he had been selected as part of the Board's continuing education audit.

f. In this same letter dated September 23, 2016, the Board notified Respondent that he must submit supporting documentation for a minimum of twenty-four (24) Professional Development Hours, of which two (2) hours must have been in ethics that had been earned between July 1, 2014 and June 30, 2016. Respondent did not reply to this letter.

g. In a January 10, 2017 letter, Respondent attached a completed Continuing Education Reporting Form and a copy of his American Institute of Architects (AIA) transcript for the period of July 1, 2014 to June 30, 2016, with a

total of forty-eight and half professional development hours earned.

h. In this same letter dated January 10, 2017, Respondent states: "My assistant made me aware of the addition of the new requirement for 2 hours for ethics which I immediately addressed and completed prior to the June 30, 2016 cut-off date for the biennium. Apparently she may have previously posted the on-line renewal and payment for me and only later realized that I needed the additional ethics course hours. However I was in full compliance with the legal requirements for all of my PDHs including the ethics PDHs in the required biennium. In light of the timing, and circumstances I believe that the claim of "Fraud/deceit/misrepresentation" is not reasonable but I recognize that the renewal was apparently posted prior to my taking the ethics course."

i. With the January 10, 2017 letter, the AIA transcript listed: Course Name - "Ethics and Professional Development," "Completion Date 06/24/2016," for two (2) hours.

j. Respondent made a material false statement on the on-line renewal application that he affirmed on June 20, 2016 at 1:28 P.M. when he affirmed he had earned two (2) professional development hours in ethics by the date he renewed but they were not earned until June 24, 2016.

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Rules 1805.0200, subpart 2 (2015) and are sufficient grounds for the action specified below. Specifically, it is alleged that the Respondent submitted a materially false statement in connection with his on-line renewal application on June 20, 2016, by affirming he had earned two (2) professional development hours in ethics

by the date he renewed but they were not earned until June 24, 2016.

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. Civil Penalty. Respondent shall pay to the Board a civil penalty of Five Hundred Dollars (\$500.00). Respondent shall submit a civil penalty of Five Hundred (\$500.00) by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Order.

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 (2016), 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 (2016), 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 (2016), 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 (2016). 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 (2016). 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

Charles Grant Mayes
Charles Grant Mayes

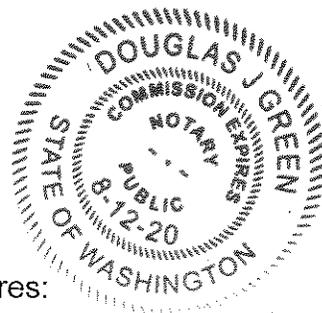
Dated: MAY 4; 20 17

SUBSCRIBED and sworn to before me on
this the 4 day of May, 2017.

[Signature]
(Notary Public)

My Commission Expires:

8-12-2020



COMPLAINT COMMITTEE

James A. Green

Dated: 5/11, 20 17

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 11th day of May, 20 17.

MINNESOTA BOARD OF
ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE AND
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By: Dennis R. Marlerson

Board Chair

