

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING,  
LANDSCAPE ARCHITECTURE, GEOSCIENCE AND INTERIOR DESIGN

In the Matter of the License of Carl  
Nordquist, License No. 7596

FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND RECOMMENDATION

The above-entitled matter came on for prehearing conference before Administrative Law Judge Allan W. Klein on May 1, 2003, in Minneapolis.

Michele M. Owen, Assistant Attorney General, 525 Park Street, Suite 200, St. Paul, MN 55103-2106, appeared on behalf of the Board. There was no appearance by or on behalf of Carl Nordquist, the Respondent.

The record closed at the conclusion of the prehearing conference on May 1, 2003.

NOTICE

This Report is a recommendation, not a final decision. The Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design will make the final decision after a review of the record. The Commissioner may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations. Under Minn. Stat. § 14.61, the final decision of the Board shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Board. Parties should contact the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design, 85 East 7<sup>th</sup> Place, Suite 160, St. Paul, MN 55101 to ascertain the procedure for filing exceptions or presenting argument.

If the Board fails to issue a final decision within 90 days of the close of the record, this report will constitute the final agency decision under Minn. Stat. § 14.62, subd. 2a. The record closes upon the filing of exceptions to the report and the presentation of argument to the Board, or upon the expiration of the deadline for doing so. The Board must notify the parties and the Administrative Law Judge of the date on which the record closes.

## STATEMENT OF ISSUE

The issue in this contested case proceeding is whether the Respondent failed to submit evidence to the Board that Respondent had obtained a minimum of 24 professional development hours during a two-year period prior to the June 30, 2002, biennial renewal date of Respondent's license, and whether Respondent's conduct constitutes grounds justifying the Board to suspend Respondent's license.

Based upon all of the files and proceedings herein, the Administrative Law Judge makes the following:

## FINDINGS OF FACT

1. The Notice of and Order for Hearing and Prehearing Conference in this matter was served upon the Respondent at his last known address by first class mail.

2. The Notice of and Order for Hearing and Prehearing Conference stated, in bold print, as follows:

**If Respondent fails to appear at the prehearing conference, settlement conference, or the hearing without prior consent of the Administrative Law Judge or if Respondent fails to comply with any interlocutory order of the Administrative Law Judge, Respondent shall be deemed in default of this matter. Upon default, the allegations or issues set forth herein may be taken as true or deemed proved without further evidence, and the Board may suspend Respondent's license...**

3. The Respondent did not file any Notice of Appearance with the Administrative Law Judge or make any prehearing request for a continuance or any other relief. The Respondent did not appear at the prehearing conference scheduled for May 1, 2003, or have an appearance made on his behalf.

4. Because the Respondent failed to appear at the prehearing conference, he is in default. Pursuant to Minn. Rule pt. 1400.6000, the allegations contained in the Notice of and Order for Hearing and Prehearing conference are hereby taken as true and incorporated into these Findings and Fact.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

## CONCLUSIONS

1. The Board and the Administrative Law Judge have jurisdiction in this matter pursuant to Minn. Stat. § § 14.50, 214.10, 326.107, subd. 8, and 326.111 (2002).

2. The Board has given proper notice of the hearing in this matter and has fulfilled all relevant substantive and procedural requirements of law and rule.

3. The conduct described in the Notice of and Order for Hearing and Prehearing Conference constitutes a violation of Minn. Stat. § 326.107 (2002).

Based upon the foregoing Conclusions, the Administrative Law Judge makes the following:

**RECOMMENDATION**

IT IS HEREBY RECOMMENDED: That the Board suspend the license of Carl Nordquist.

Dated this 6<sup>th</sup> day of May 2003.

S/ Allan W. Klein  
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ALLAN W. KLEIN  
Administrative Law Judge

Reported: Default

**NOTICE**

If the Board fails to issue a final decision within 90 days of the close of the record under Minn. Stat. § 14.61, this report becomes a final decision.