

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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BEFORE THE STATE OF WISCONSIN
EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS
AND LAND SURVEYORS

FILE COPY

IN THE MATTER OF THE
INVESTIGATION OF

TERRENCE McCORMICK, AIA,
and
BARBARA McCORMICK, AIA,
LICENSEES.

MEMORANDUM AND
ORDER ON
SETTLEMENT CONFERENCE

An informal settlement conference was conducted in the above-captioned matter on January 14, 1988. Participating were Terrence McCormick and Barbara McCormick, licensees herein; Sherry Steffel, attorney for the Department of Regulation and Licensing Division of Enforcement; Matthias Goebel, Arlen Kay, Brian Larson and Judith L. Rose, members of the Architects Section of the examining board; and Wayne Austin, the board's legal counsel.

After discussion, the parties agreed in principle to a stipulated resolution of the matter, and a Stipulation was thereafter executed by Terrence McCormick, Barbara McCormick, Sherry Steffel and Brian F. Larson. A copy of the Stipulation is appended hereto and made a part hereof. Based upon the Stipulation, the board, by the Architects Section, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. T. McCormick, 1426 North Main Street, Rockford, Illinois, is licensed to practice as an architect in the State of Wisconsin by license #A-3998, issued on January 8, 1976.
2. B. McCormick, 1426 North Main Street, Rockford, Illinois, is licensed to practice as an architect in the State of Wisconsin by license #A-3620, issued on July 23, 1973.
3. Stephen Boelter (Boelter), 819 Cass Street, Milwaukee, Wisconsin, is not licensed to practice as an architect in the State of Wisconsin.
4. McCormickBoelter Architecture, Inc., holds a corporate certificate of authorization to practice architecture as a corporation by Certificate of Authorization issued by the board on May 3, 1985.
5. T. McCormick serves as President of McCormickBoelter; B. McCormick serves as corporate Vice-President; and Boelter serves as corporate Secretary-Treasurer.
6. McCormickBoelter maintains offices at 1426 North Main Street, Rockford, Illinois, and at 819 North Cass Street, Milwaukee, Wisconsin.

7. McCormickBoelter offers to practice architecture in Wisconsin through its offices at 819 North Cass Street, Milwaukee.

8. Neither T. McCormick nor B. McCormick spends a majority of his or her working schedule at the Milwaukee offices of McCormickBoelter, and there is no resident licensed architect which spends a majority of his or her working schedule at the Milwaukee offices.

9. Architectural services provided through the Milwaukee offices of McCormickBoelter are actually performed by or under the supervision of T. McCormick or B. McCormick at the Rockford offices of McCormickBoelter.

10. In their certificate accompanying McCormickBoelter's Application for Certification of Authorization filed with the board, T. McCormick and B. McCormick each certify that they are in responsible charge of architectural services provided through the Milwaukee offices of McCormickBoelter.

11. McCormickBoelter has placed an advertisement in the Milwaukee area telephone yellow pages classified listings which includes the names of T. McCormick, B. McCormick and Boelter.

CONCLUSIONS OF LAW

1. By offering to provide architectural services through the Milwaukee offices of McCormickBoelter while there is no resident architect who spends a majority of his or her working schedule at that location, T. McCormick and B. McCormick have violated Wis. Adm. Code sections A-E 2.03(1), A-E 2.03(2)(a), A-E 2.03(3), and A-E 2.03(4), and they have thereby violated Wis. Stats. sec. 443.11(1)(e).

2. By carrying a listing in the Milwaukee telephone directory yellow pages which includes under the heading "Architects" the name of an individual not licensed to practice architecture, T. McCormick and B. McCormick have advertised in a manner tending to convey the impression that Boelter is a licensed architect, and have thereby engaged in deceptive advertising in violation of Wis. Adm. Code sec. A-E 8.04(4) and Wis. Stats. sec. 443.11(1)(e).

ORDER

NOW, THEREFORE, IT IS ORDERED that Terrence McCormick be, and hereby is, reprimanded.

IT IS FURTHER ORDERED that Barbara McCormick be, and hereby is, reprimanded.

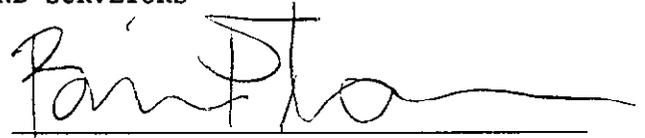
IT IS FURTHER ORDERED that within 30 days of the date hereof, Terrence McCormick and Barbara McCormick shall either close the Milwaukee office of McCormickBoelter or bring it into compliance with Wis. Stats. sec. 443.11

IT IS FURTHER ORDERED that Terrence McCormick and Barbara McCormick shall either withdraw the yellow pages advertisement described in Finding of Fact #11, or shall modify the advertisement to avoid any reference to persons not licensed to practice architecture in Wisconsin, and shall refrain from any further advertising violations.

Dated at Madison, Wisconsin, this 8th day of June, 1988.

STATE OF WISCONSIN
EXAMINING BOARD OF
ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS AND
LAND SURVEYORS

by



Brian F. Larson, AIA
Chairman, Architects Section

BFL:WRA:rjt
BDLS-171

BEFORE THE STATE OF WISCONSIN
EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS
AND LAND SURVEYORS

IN THE MATTER OF THE	:	
INVESTIGATION OF	:	
	:	
TERRENCE MC CORMICK, AIA	:	STIPULATION
and	:	
BARBARA MC CORMICK, AIA	:	
LICENSEES	:	

Terrence McCormick, AIA (T. McCormick), and Barbara McCormick, AIA (B. McCormick), and the Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, Architects Section, having reached an agreement for disposition of the informal complaint identified as 87 A&E 41, stipulate and agree as follows:

1. This Stipulation shall be included as part of a Memorandum and Order on Settlement Conference to be issued by the board, and all terms of this Stipulation shall be binding on T. McCormick and B. McCormick as a part of the board's order.

2. This Stipulation and the board's order shall be placed in the permanent files of T. McCormick and B. McCormick, and may be used if there are further complaints against them.

3. T. McCormick, 1426 North Main Street, Rockford, Illinois, is licensed to practice as an architect in the State of Wisconsin by license # A-3998, issued on January 8, 1976.

4. B. McCormick, 1426 North Main Street, Rockford, Illinois, is licensed to practice as an architect in the State of Wisconsin by license # A-3620, issued on July 23, 1973.

5. Stephen Boelter (Boelter), 819 Cass Street, Milwaukee, Wisconsin, is not licensed to practice as an architect in the State of Wisconsin.

6. McCormickBoelter Architecture, Inc., holds a corporate certificate of authorization to practice architecture as a corporation by Certificate of Authorization issued by the board on May 3, 1985.

7. T. McCormick serves as President of McCormickBoelter; B. McCormick serves as corporate Vice-President; and Boelter serves as corporate Secretary-Treasurer.

8. McCormickBoelter maintains offices at 1426 North Main Street, Rockford, Illinois, and at 819 North Cass Street, Milwaukee, Wisconsin.

9. McCormickBoelter offers to practice architecture in Wisconsin through its offices at 819 North Cass St., Milwaukee.

10. Neither T. McCormick nor B. McCormick spends a majority of his or her working schedule at the Milwaukee offices of McCormickBoelter, and there is no resident licensed architect which spends a majority of his or her working schedule at the Milwaukee offices.

11. Architectural services provided through the Milwaukee offices of McCormickBoelter are actually performed by or under the supervision of T. McCormick or B. McCormick at the Rockford offices of McCormickBoelter.

12. In their certificate accompanying McCormickBoelter's Application for Certificate of Authorization filed with the board, T. McCormick and B. McCormick each certify that they are in responsible charge of architectural services provided through the Milwaukee offices of McCormickBoelter.

13. McCormickBoelter has placed an advertisement in the Milwaukee area telephone yellow pages classified listings which includes the names of T. McCormick, B. McCormick and Boelter.

14. By offering to provide architectural services through the Milwaukee offices of McCormickBoelter while there is no resident architect who spends a majority of his or her working schedule at that location, T. McCormick and B. McCormick have violated Wis. Adm. Code sections A-E 2.03(1), A-E 2.03(2)(a), A-E 2.03(3), and A-E 2.03(4), and they have thereby violated Wis. Stats. sec. 443.11(1)(e).

15. By carrying a listing in the Milwaukee telephone directory yellow pages which includes under the heading "Architects" the name of an individual not licensed to practice architecture, T. McCormick and B. McCormick have advertised in a manner tending to convey the impression that Boelter is a licensed architect, and have thereby engaged in deceptive advertising in violation of Wis. Adm. Code sec. A-E 8.04(4) and Wis. Stats. sec. 443.11(1)(e).

16. T. McCormick, B. McCormick and the board each agree that appropriate discipline to be imposed in recognition of the misconduct found in the case is a formal reprimand.

17. It is further agreed that T. McCormick and B. McCormick shall within 30 days from the date of the Memorandum and Order on Settlement Conference adopting the terms of this Stipulation either close the Milwaukee office of McCormickBoelter or bring it into compliance with Wis. Stats. sec. 443.11.

18. It is further agreed that T. McCormick and B. McCormick shall either withdraw the yellow pages advertisement described in paragraph 13, or shall modify the advertisement to avoid any reference to persons not licensed to practice architecture in Wisconsin, and shall refrain from any further advertising violations.

Dated at Madison, Wisconsin this 20th day of May, 1988.

STATE OF WISCONSIN
EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS,
DESIGNERS AND LAND SURVEYORS

by Matthias R. Goebel

~~Matthias R. Goebel, Chairman~~
Brian F. Larson, Chairman

DEPARTMENT OF REGULATION AND LICENSING

by Sherry Steffel
Sherry Steffel, Attorney

Terrence McCormick
Terrence McCormick, AIA

Barbara McCormick
Barbara McCormick, AIA

MRG:WA:vec
BDLS-23