

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, AND LAND SURVEYORS (ARCHITECTS' SECTION)

IN THE MATTER OF THE REVOCATION OF
THE CERTIFICATE OF REGISTRATION AS
AN ARCHITECT OF ROBERT F. STAUBER,
RESPONDENT (A-2208)

STIPULATION

Case # 71-A-1

ROBERT F. STAUBER, respondent by his attorneys, Jenswold, Studt, Hanson, Clark & Kaufmann by Bruce K. Kaufmann, and the Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors (Architects' Section), by its attorney, Sherwood K. Zink, pursuant to a hearing on the 30th day of June, 1971 at 10:00 in the forenoon, at the City of Madison, Dane County, Wisconsin, hereby agrees and stipulates as to the following:

1. With reference to the First Cause of Action filed against Mr. Stauber, the respondent hereby admits that he filed completion statements with the Department of Industry, Labor and Human Relations, of the State of Wisconsin before necessary roof truss structural data was submitted to said department.

2. With respect to the Second Cause of Action we stipulate and agree that the stipulation previously in the files of the attorney for the Board is hereby incorporated by reference and made a part hereof for the purpose of formalizing the previous stipulation; with the understanding that this is not a new violation but merely a restatement of the previous informal action of the board.

3. With reference to the Third Cause of Action we agree that the respondent filed with the Department of Industry, Labor and Human Relations a statement that said building was substantially complete when there still remained some unresolved issues as to whether the said building complied with the Wisconsin Administrative Code.

4. That the above admissions were not willful violations but could form the basis of a charge of unintentional misconduct of the practice of architecture.

5. That said violations were the result of bad business procedures on the part of the respondent and that the respondent agrees to rectify the situation which caused these violations in the manner which he represented to the Board at the hearing dated June 30, 1971.

6. That an order of this Board formally reprimanding the respondent for misconduct pursuant to Section 443.01(13), Wis. Stats. be issued by the Board as a conclusion of this matter, with the understanding that the Board will review the matter in six (6) months to determine whether any new violations have occurred in the interim.

7. That the respondent will make every effort to see that the Judgment, dated August 11, 1970, in the Dane County Circuit Court case of STATE OF WISCONSIN vs. THE DELTA-VIKING CORPORATION, et al, is satisfied.

Dated this 17th day of August, 1971.

Bruce K. Kaufmann

Jenswold, Studt, Hanson, Clark & Kaufmann
Attorneys for Respondent, ROBERT F. STAUBLER
By Bruce K. Kauffmann

Sherwood K. Zink

Sherwood K. Zink, Attorney for Complainant
EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS, AND LAND SURVEYORS

Robert F. Stauber

Robert F. Stauber

STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, AND LAND SURVEYORS (ARCHITECTS' SECTION)

IN THE MATTER OF THE REVOCATION OF
THE CERTIFICATE OF REGISTRATION AS
AN ARCHITECT OF ROBERT F. STAUBER,
RESPONDENT (A-2208)

NOTICE OF HEARING

TO: Robert F. Stauber
2222 Independence Lane
Madison, Wisconsin

PLEASE TAKE NOTICE, That a hearing will be held on the 4th day of June, 1971, at the office of the Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors, at 110 North Henry Street, in the city of Madison, Wisconsin, at 10:00 o'clock in the forenoon, or as soon thereafter as the matter can be heard, on the question of whether the certificate of registration as an Architect in the State of Wisconsin heretofore issued to the above named respondent, pursuant to Section 443.01, Wis. Stats. (renumbered from Section 101.31, Wis. Stats. by the laws of 1969), should be revoked. The issues involved and the charges then and there to be considered are set forth in the attached Complaint, to which you are required to make answer in writing at least fifteen (15) days before the date set for said hearing.

Dated at Madison, Wisconsin, this 4th day of May, 1971.

EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL
ENGINEERS, DESIGNERS, AND LAND SURVEYORS
(ARCHITECTS' SECTION)

By C. F. Hurc
C. F. HURC, Secretary

Post Office Address:

110 North Henry Street
Madison, Wisconsin 53703

STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS,
DESIGNERS, AND LAND SURVEYORS (ARCHITECTS' SECTION)

IN THE MATTER OF THE REVOCATION OF
THE CERTIFICATE OF REGISTRATION AS
AN ARCHITECT OF ROBERT F. STAUBER,
RESPONDENT (A-2208)

COMPLAINT

The Architects' Section of the Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors, by C. F. Hurc, its Secretary, complains against the respondent, Robert F. Stauber, and alleges:

FIRST CAUSE OF ACTION

1. That Robert F. Stauber, of 2222 Independence Lane, Madison, Wisconsin, is duly registered by the Examining Board of Architects, Professional Engineers, Designers, and Land Surveyors under the provisions of Section 443.01, Wis. Stats., as an Architect, certificate number A-2208.

2. That C. F. Hurc is the Secretary of said Board, and has been directed by the Architects' Section of said Board to initiate these proceedings to revoke the certificate of registration as an Architect of said Robert F. Stauber, under the provisions of Section 443.01 (13), Wis. Stats.

3. On information and belief, that the respondent, Robert F. Stauber, was retained some time prior to August 22, 1967, to prepare plans and specifications for, and to responsibly supervise construction of, one 16 unit and three 32 unit apartment buildings to be constructed as a part of an apartment complex known as Sunrise Heights, located in Middleton, Wisconsin, and owned by Northern Development Corporation.

4. That, on or about August 22, 1967, the respondent submitted plans and specifications for the apartment buildings referred to in paragraph 3 herein to the Department of Industry, Labor and Human Relations of the State of Wisconsin for approval.

5. That, on or about September 18, 1967, the said Department refused to approve said plans because they failed to comply with various requirements of Chapters Ind., Wis. Adm. Code, including, but not limited to, their failure to comply with Section Ind., 50.10, Wis. Adm. Code, which requires the submission of structural data for roof trusses to the said Department.

6. That, on or about October 16, 1967, the said department approved plans for the said apartment buildings, conditioned upon compliance with various requirements of Chapters Ind., Wis. Adm. Code, including, but not limited to, compliance with Section Ind. 50.10, Wis. Adm. Code.

7. That, on or about September 6, 1968, and again on or about January 20, 1969, the respondent filed completion statements with the Department of Industry, Labor and Human Relations to the effect that said apartment buildings were substantially completed.

8. On information and belief, that there had not been, as of January 20, 1969, nor had there been, as of April 15, 1971, submitted to the said Department, roof truss structural data for the said apartment buildings, as required by Section Ind. 50.10, Wis. Adm. Code.

9. On information and belief, that the respondent, Robert F. Stauber, was retained some time prior to November 20, 1968, to prepare plans and specifications for, and to responsibly supervise construction of, two 40 unit apartment buildings to be constructed as a part of an apartment complex known as Sunrise Heights, located in Middleton, Wisconsin, and owned by Northern Development Corporation.

10. On information and belief, that as of April 15, 1971, said 40 unit apartment buildings were constructed and substantially occupied, but that no completion statement had been filed with the Department of Industry, Labor and Human Relations as required by Section Ind. 52.001 (2), Wis. Adm. Code.

11. That the submission of completion statements to the Department of Industry, Labor and Human Relations prior to the submission and approval of roof truss structural data, and the failure to file a completion statement for a building prior to its occupancy, constitutes gross negligence, incompetency and misconduct in the practice of architecture pursuant to Section 443.01 (13), Wis. Stats.

SECOND CAUSE OF ACTION

21. For a separate, distinct and additional cause of action against said respondent the complainant hereby repeats and incorporates herein, as if fully set forth, all of the allegations contained in paragraphs 1 and 2 of the first cause of action, and further alleges;

22. That the respondent, Robert F. Stauber, did, on June 17, 1968, admit and stipulate to submitting plans to the Department of Industry, Labor and Human Relations which were inadequate and not in conformance with the Wisconsin Building Code, and to being negligent in not obtaining approval for revisions made in plans previously submitted and in not bringing to the attention of the Department of Industry, Labor and Human Relations that construction had commenced prior to the approval of plans.

23. That the submission of inadequate plans, not in conformance with the Wisconsin Building Code, to the Department of Industry, Labor and Human Relations, the failure to obtain approval of said Department for revisions made in plans previously submitted, and the failure to notify said Department that construction had commenced prior to the approval of plans, constitutes gross negligence, incompetency and misconduct in the practice of architecture pursuant to Section 443.01 (13), Wis. Stats.

THIRD CAUSE OF ACTION

31. For a separate, distinct and additional cause of action against said respondent, the complainant hereby repeats and incorporates herein, as if fully set forth, all of the allegations contained in paragraphs 1 and 2 of the first cause of action, and further alleges;

32. On information and belief, that the respondent was engaged at some time prior to November 21, 1967, to prepare plans and specifications for, and to responsibly supervise construction of, an 8-unit apartment building at 429 Valeria Drive, DeForest, Wisconsin, owned by the Delta-Viking Corporation.

33. That on January 26, 1968, the said building did not comply with Section Ind. 50.12 and 53.20, Wis. Adm. Code, in that calculations showing how the 2" x 10" x 14' floor joists, utility grade, would carry the required load, had not been submitted to the Department of Industry, Labor and Human Relations.

SECOND COURSE OF ACTION

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34. That on January 26, 1968, the said building did not comply with Section Ind. 57.22, Wis. Adm. Code, in that the installation of a fire alarm system in said building had not been made.

35. That on or about January 26, 1968, and at various times thereafter, the respondent was notified of the failure to comply with Ind. 50.12, 53.20, and 57.22, Wis. Adm. Code, as set forth in paragraphs 33 and 34 herein.

36. That on or about March 16, 1970, the respondent filed with the Department of Industry, Labor and Human Relations a statement that the said building was substantially completed.

37. That as of March 16, 1970, the requirements of Section Ind. 50.12, 53.20, and 57.22, Wis. Adm. Code, as referred to in paragraphs 33 and 34 herein had not been met.

38. That the respondent's filing of a completion statement with the Department of Industry, Labor and Human relations when said building did not meet the requirements of Ind. 50.12, 53.20, and Ind. 57.22, Wis. Adm. Code, constitutes gross negligence, incompetency, and misconduct in the practice of architecture, pursuant to Section 443.01 (13), Wis. Stats.

WHEREFORE, the complainant prays that the certificate of registration as an Architect of Robert F. Stauber be revoked.

EXAMINING BOARD OF ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS
AND LAND SURVEYORS (ARCHITECTS' SECTION)

By C. F. Hure
C. F. HURE, Secretary