

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
RICHARD S. LOSEE,	:	LS0811134ENG
RESPONDENT.	:	

**Division of Enforcement Case # 03 ENG 004**

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Richard S. Losee  
14551 Meravi Drive  
Bonita Springs, Florida 34135

Professional Engineers Section  
Examining Board of Architects, Landscape Architects,  
Professional Engineers, Designers and Land Surveyors  
Post Office Box 8935  
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
Post Office Box 8935  
Madison, Wisconsin 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Richard S. Losee (Date of Birth: November 30, 1954) is duly registered to practice as a professional engineer in the state of Wisconsin (using registration number 20346-6). This registration was first granted on December 19, 1980, and is current until August 1, 2010.
2. Mr. Losee's most recent address on file with the Department of Regulation and Licensing (Department) is 14551 Meravi Drive, Bonita Springs, Florida 34135.
3. Losee & Associates, Inc., possessed a Certificate of Authorization as an Architectural or Engineering Corporation (certificate number 11-1320) from March 10, 1981, until the Certificate expired on February 1, 2000.
4. Richard S. Losee was identified in Wisconsin Department of Financial Institutions Business Records from 2000 through 2005 as the Registered Agent, Sole Director, President, Secretary and Treasurer of Losee & Associates, Inc.
5. In September 2001, Losee & Associates, Inc., filed architectural or engineering plans for the Mr. & Mrs. Muench Lake Home with the Waukesha County, Wisconsin, Department of Parks and Land Use. The plans were identified as drawn by "rsf". Language on the plans stated "These drawings and designs therein are the exclusive property of Losee & Associates,

Inc.”

6. At that time the Meunch Lake Home plans were filed, Losee & Associates did not have a valid Certificate of Authorization to practice as an architectural or engineering corporation.
7. The architectural or engineering plans submitted to the Waukesha County Department of Parks and Land Use during September 2001 are classified as public records according to the Waukesha County Department of Parks and Land Use.
8. The architectural or engineering plans submitted to the Waukesha County Department of Parks and Land Use during September 2001 were also not signed or sealed.
9. In resolution of this matter, Richard S. Losee consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter pursuant to Wis. Stat. §. 443.11.
2. The Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors is authorized to enter into the attached stipulation, pursuant to Wis. Stat. 227.44(5).
3. Wis. Stat. § 443.08 (2) provides that the practice of, or the offer to practice architecture, professional engineering or designing by individual architects, professional engineers or designers registered or granted a permit under this chapter, through a firm, partnership or corporation as principals, officers, employees, or agents, is permitted subject to chapter 443, if all personnel who practice or offer to practice in its behalf as architects, professional engineers or designers are registered or granted a permit under chapter 443 and if the firm, partnership or corporation has been issued a certificate of authorization under the provisions of Wis. Stat. § 443.08 (3).
4. By filing the Muench Lake Home plans with the Waukesha County Department of Parks and Land Use at a time when Losee & Associates, Inc., did not have a valid certificate of authorization to practice as an architectural or engineering corporation, Richard S. Losee violated Wis. Stat. § 443.08 (2).
5. Wis. Stat. 443.08 (4) (b) provides that all final drawings, specifications, plans, reports or other architectural, engineering or designing papers prepared for public record within the state shall be dated and bear the signature and seal of the architect, landscape architect, professional engineer or designer who was in responsible charge of their preparation.
6. By failing to affix his signature and seal to the Meunch Lake Home plans filed with the Waukesha County Department of Parks and Land Use, Richard S. Losee violated Wis. Stats. § 443.08 (4) (b)
7. By violating Wis. Stats. §§ 443.08 (2) and (4) (b), Richard S. Losee violated Wis. Administrative Code A-E 8.09 (1), which requires licensees to comply with the requirements in chapter 443, Stats, and the rules promulgated by the board.
8. Wis. Stat. § 443.11 (1) (g) provides that the examining board may discipline a licensee who has violated the rules of professional conduct adopted by the board.
9. By violating Wis. Stats. §§ 443.08 (2) and (4) (b) and Wis. Administrative Code § A-E 8.09 (1), Richard S. Losee is subject to discipline by the board.

#### **ORDER**

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the registration of Richard S. Losee to practice as a professional engineer in the state of Wisconsin (registration number 6-30346) is hereby **REPRIMANDED**.

**IT IS FURTHER ORDERED** that Richard S. Losee shall pay EIGHT HUNDRED dollars (\$800.00) as partial payment of the costs of this proceeding.

Payment of the costs shall be submitted in four (4) installments. The installments shall be submitted on the following payment schedule:

Payment Number	Due Date	Payment Amount
1	March 15, 2009	\$200.00
2	June 15, 2009	\$200.00
3	September 15, 2009	\$200.00
4	December 15, 2009	\$200.00

Respondent may pay the full amount of costs at any time prior to each quarterly due date for payment. Payment shall be made **by certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor  
Division of Enforcement  
Post Office Box 8935  
Madison, Wisconsin 53708-8935  
608-267-3817

**In the event that Mr. Losee fails to abide by the terms and conditions of this Order, then any violation shall be construed as conduct imperiling the health, safety and welfare of the public and shall result in the summary suspension of Mr. Losee's registration to practice as professional engineer (registration number 6-20346) in the state of Wisconsin. The Section in its discretion may in the alternative impose additional terms, conditions and limitations for any violation of this Order.**

This Order shall become effective upon the date of its signing.

PROFESSIONAL ENGINEERS SECTION, EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

By Martin J. Hanson  
A Member of the Professional Engineers Section

11/13/08  
Date