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

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: FINAL DECISION AND ORDER
KERRY I. LEVIN. :
RESPONDENT. : ORDER 0000147

Division of Enforcement Case File #: 06 ARC 007

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Kerry I. Levin
1455 E. Golf Road, Suite 200
Des Plaines, Illinois 60016

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

Examining Board of Architects, Landscape Architects, Professional Engineers,
Designers and Land Surveyors, Architects Section
P.O. Box 8935
Madison, WI 53708

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Architects Section ("Section").

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. Kerry I. Levin is licensed in the State of Wisconsin as an Architect (License Number 05-5038). His license was first granted on October 13, 1980, and is current through July 31, 2010.

2. Mr. Levin's most recent address on file with the Department of Regulation and Licensing is 1455 E. Golf Road, Suite 200 in Des Plaines, Illinois.

3. In 2000, Mr. Levin was a shareholder in a corporation that owned and leased a building to the U.S. General Services Administration (GSA).

4. Mr. Levin or someone under his control submitted a claim to the GSA on or about May 2000, that was fraudulent and led to a mistaken payment and unjust enrichment.

5. The GSA filed a civil suit and prevailed. On August 17, 2005, Mr. Levin was ordered to pay damages and civil penalties totaling \$31,317.11.

6. On September 10, 2007, the State of Illinois, Department of Financial and Professional Regulation, reprimanded Mr. Levin's architect license and imposed a \$1,000.00 fine for "his failure of administrative control over his staff."

7. Mr. Levin was at all times cooperative with this office.

8. Mr. Levin has not had any prior complaints filed against him in Wisconsin.

9. In resolution of this matter, the Respondent, Kerry I. Levin consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Architect Section has jurisdiction to act in this matter pursuant to Wis. Stat. § 443.11, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent, Kerry I. Levin, has violated:

- Wis. Admin. Code § A-E 8.03(3)(a)(c) by violating federal and state laws that evidences professional misconduct in the Respondent's practice as an architect.

3. Section 443.11 (1) (e) of the Wisconsin Statutes provides that the examining board may reprimand an architect, registered landscape architect or professional engineer or limit, suspend or revoke the certificate of registration of any registrant, and the certificate of record of any engineer-in-training, who is found guilty of any violation of the rules of professional conduct adopted and promulgated by the examining board.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED that the attached Stipulation is hereby accepted.

1. Kerry I. Levin, license # 5-5038 be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDER THAT:

2. Respondent shall, within 60 days of the date of this Order, pay costs in the amount of SEVEN HUNDRED EIGHTY DOLLARS (\$780.00.) Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 261-7904, Fax (608) 266-2264

In the event Respondent fails to timely submit any payment as ordered, such violation may be construed as conduct imperiling public health, safety and welfare and the Respondent's license SHALL BE SUSPENDED without further notice or hearing, and SHALL REMAIN SUSPENDED until Respondent has complied with the terms of this Order. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

IT IS FURTHER ORDERED, that file, 06 ARC 007 be, and hereby is, closed as to Respondent Kerry I. Levin.

Dated this 28 day of APRIL, 2010.

PROFESSIONAL ARCHITECT SECTION

By: *Walter L. Wilson*
A member of the Section