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

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

FRANK RICHARDSON,

RESPONDENT.

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FINAL DECISION AND ORDER
ORDER 0000/001

Division of Enforcement Case 07 ARC 004

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

Frank Richardson
11297 Covey Point Road
Frisco, Texas 75035

Architects 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 Architect Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors. The Architect Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has reviewed this Stipulation and considers it acceptable.

Accordingly, the Architect Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Frank Richardson (DOB April 21, 1951) possesses a certificate of registration to practice architecture in the State of Wisconsin (Number 5-4561). His certificate of registration was first granted on June 14, 1978, and is current through July 31, 2010. The certificate of registration was expired from August 1, 2006, through August 11, 2006. The last address reported to the Department of Regulation and Licensing (Department) by Mr. Richardson is 11297 Covey Point Road, Frisco, Texas 75035.
2. In October of 2005, Mr. Richardson submitted plans to the City of Milwaukee-Department of Neighborhood Services concerning alterations of a commercial building. The plans called for alterations to the first floor of the building into a restaurant and for storage in the lower level. The plans also called for the installation of two restrooms in the lower level. There was no indication on the plans that any further work to the lower level would be undertaken.
3. The building was granted an Occupancy Permit after the City of Milwaukee Construction Inspector visited the site on December 15, 2005.
4. On February 9, 2007, a Milwaukee Fire Department Inspector found that the lower level of the restaurant building had been turned into a bar area with a dance floor and disc jockey booth, along with two restrooms. The restaurant owner was told to discontinue using the bar/disco area in the lower level and to obtain the proper occupancy permits.
5. Mr. Richardson found that the occupancy permit did not include the lower level, and visited the Milwaukee Development Center on March 6, 2007, to obtain the proper permits.
6. Based upon Mr. Richardson's responses to the Plan Examiner, an Occupancy Permit was issued on March 6, 2007, that included the bar/disco area in the lower level.
7. A City of Milwaukee Building Inspector inspected the building in April of 2007. The Building Inspector closed the bar/disco area in the lower level and cancelled the March 2007 Occupancy Permit.
8. On April 16, 2007, soon after the closure of the lower level and cancellation of the Occupancy Permit, Mr. Richardson submitted revised plans showing the bar/disco area in the lower level and several changes to the first floor to the Milwaukee Development Center.
9. In resolution of this matter, Frank J. Richardson consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Architects Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (Board) has jurisdiction to act in this matter pursuant to s. 443.11, Wis. Stats.
2. The Architects Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors is authorized to enter into the attached Stipulation pursuant to ss. 227.44 (5) and 443.11, Wis. Stats.
3. By the conduct described in Findings of Fact 6, 7, 8, and 9, Frank Richardson has violated ss. 443.11 (1) (d) and (e), Wis. Stats.
4. By the conduct described in Findings of Fact 6, 7, 8, and 9, Frank Richardson has violated s. A-E 8.03(1), Wis. Admin. Code.
5. By the conduct described in Findings of Facts 6, 7, 8, and 9, Frank Richardson has violated ss. A-E 8.03 (3) (a) and (c), Wis. Admin. Code.
6. By the conduct described in Findings of Fact 6, 7, 8, and 9, Frank Richardson has violated s. A-E 8.06 (1), Wis. Admin. Code.
7. By the conduct described in Findings of Fact 6, 7, 8, and 9, Frank Richardson has violated ss. A-E 8.09 (1) and (2), Wis. Admin. Code.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Frank Richardson's Wisconsin certificate of registration (Certificate Number 5-4561) to practice as an architect is **REPRIMANDED**.

IT IS FURTHER ORDERED that Frank Richardson shall pay total costs in the amount of **NINE HUNDRED FIFTY** dollars (\$950.00) for this matter.

All payments shall be submitted within 180 days from the date of this order. Payment shall be made by ***certified check or money order***, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and shall result in a summary suspension of Frank Richardson's certificate of registration to practice as an architect in the State of Wisconsin (Number 5-

4561). The Architects Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors may in their discretion impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

This Order shall become effective upon the date of signing.

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

By Walter L. Wilson
A Member of the Architects Section

4/28/10
Date