

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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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
WILLIAM TURNER, :
RESPONDENT. : ORDER 0000 810

Division of Enforcement Case Number 11 ARC 001

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

William Turner
N9847 Brickman Lake Road
Hayward, WI 54843

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

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

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 Architect Section ("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, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent William Turner (dob 08/18/1940) is registered in the State of Wisconsin as an Architect, having registration number 5-3230, first issued on 08/03/1970 and expired on 07/31/2002. Mr. Turner's most recent address on file with the Wisconsin Department of Regulation and Licensing ("Department") is N9847 Brickman Lake Road, Hayward, Wisconsin 54843.

2. On or about September 10, 2010, the Department received a complaint against Mr. Turner. During the Department's screening of the complaint, it was noted that Mr. Turner's registration expired on July 31, 2002. This case was subsequently opened for investigation.

3. The Department's investigation revealed that Mr. Turner held himself out as an architect in Wisconsin and engaged in the practice of architecture in Wisconsin between August 2002 and September 2010 although his registration was expired during that time.

4. On December 14, 2010, the Department informed Mr. Turner that his registration expired on July 31, 2002. In response, Mr. Turner stated that he was unaware his registration had expired.

5. Mr. Turner asserts that the probable reason for the lapse in his registration is that his registration address on file with the Department was that of his former employer.

6. The Department's practice and procedures relating to credential renewal is that a renewal notice is mailed to the licensee prior to the credential expiration at the last known address on file with the Department. If a licensee fails to renew his credential, the Department does not submit any further renewal notices to the licensee.

7. Mr. Turner acknowledges that it is his responsibility, and his alone, to keep his registration current under Wis. Stat. § 440.08(1).

8. Upon discovering his Architect registration was in expired status, Mr. Turner has not engaged in the practice of architecture in Wisconsin.

9. Mr. Turner now seeks reinstatement of his Architect registration, pursuant to Wis. Admin. Code § A-E 2.05(2).

10. On or about December 28, 2010, William Turner submitted his application for credential reinstatement and renewal payment in the hope of having his registration reinstated.

11. The Section has reviewed Mr. Turner's application for reinstatement of his Architect registration and has determined that Mr. Turner meets the requirements of Wis. Admin. Code § A-E 2.05(2)(a) and is competent to practice Architecture in Wisconsin.

12. In resolution of this matter, Respondent William Turner consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Architect 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 and Wis. Admin. Code § A-E 2.05(2)(b), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in Findings of Fact 2-3, Respondent William Turner violated Wis. Stat. § 443.02(2) by practicing architecture in this State without an active license.

3. Pursuant to Wis. Stat. § 440.08(1), the conduct described in Findings of Fact 4-5 is not a defense to Respondent William Turner's unregistered practice of architecture.

4. As a result of the above violations, Respondent William Turner is subject to discipline pursuant to Wis. Stat. § 443.11(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent William Turner is hereby REPRIMANDED.
3. Respondent William Turner shall, within thirty (30) days of the date of this Order, pay the MISSED RENEWAL FEES for 2002, 2004, 2006 and 2008, totaling TWO HUNDRED SIXTY TWO DOLLARS (\$262.00), and calculated as follows:
 - a. \$60 for 2002 renewal, plus
 - b. \$60 for 2004 renewal, plus
 - c. \$60 for 2006 renewal, plus
 - d. \$82 for 2008 renewal.
4. Respondent William Turner shall, within one hundred and eighty (180) days of the date of this Order, pay COSTS of this matter in the amount of SIX HUNDRED TWENTY FOUR DOLLARS (\$624.00).
5. Payment of the missed renewal fees and costs (made payable to the Wisconsin Department of Regulation and Licensing) shall be sent to the Department Monitor at:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264
6. The Architect registration of William Turner, registration number 5-3230, is REINSTATED.
7. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent William Turner's registration. The Section 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. In the event Respondent William Turner fails to timely submit payment of the missed renewal fees or costs as ordered and as set forth above, his registration (number 5-3230) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent William Turner has complied with payment of the missed renewal fees and costs.
8. This Order is effective on the date of its signing.

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

By /s/ Walter L. Wilson JA 4/21/11
A Member of the Section Date