

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
GARRET Q. PERRY,	:	
RESPONDENT.	:	ORDER 0002646

Division of Legal Services and Compliance Case No. 13 LSA 001

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

Garret Q. Perry
45 Waubesa St.
Madison, WI 53704

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

Division of Legal Services and Compliance
Department of Safety and Professional Services
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 Landscape Architect Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Garret Q. Perry (dob February 7, 1967) is licensed in the State of Wisconsin as a Landscape Architect, having license number 564-14, first issued on October 29, 2007 and current through July 31, 2014. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 45 Waubesa Street, Madison, Wisconsin 53704.

2. On or about February 25, 2013, the Department received a complaint alleging Respondent was practicing as a landscape architect with an expired landscape architect license.

Division of Legal Services and Compliance Case Number 13 LSA 001 was subsequently opened for investigation.

3. The Department's investigation revealed that Respondent's license expired August 1, 2012.

4. In an advertisement dated February 15, 2013, Respondent is identified as a "Landscape Architect."

5. On March 12, 2013 the Department mailed Respondent a letter requesting a response to the complaint. The letter was sent to the last address of record with the Department for Respondent, 173 Jefferson Street, Waterloo, Wisconsin 53594. The letter was returned to the Department by the Post Office stamped, "Return to Sender No Such Number Unable to Forward."

6. On May 28, 2013, Respondent's landscape architect license was renewed and Respondent's address of record was updated to 45 Waubesa Street, Madison, Wisconsin 53704.

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

CONCLUSIONS OF LAW

1. The Landscape 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 is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 443.02(3) and Wis. Admin. Code § A-E 8.04(4) by using a title in an advertisement that conveyed the impression he was a licensed landscape architect during the time his license was expired.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.11(1) by failing to notify the Department in writing of his new address within 30 days of the change.

4. By the conduct described in the Findings of Fact, Respondent engaged in misconduct in the practice of landscape architecture pursuant to Wis. Admin. Code § A-E 8.03(3)(a) by violating state laws and administrative rules relating to the practice of landscape architecture.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 443.11(1)(d) and (e).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Garret Q. Perry is REPRIMANDED.

3. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$169.00 .

4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. 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's license. 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 fails to timely submit payment of the costs as ordered and as set forth above, Respondent's license (no. 564-14) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

6. This Order is effective on the date of its signing.

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

By Rosheer Stojanowski
A Member of the Section

September 24, 2013
Date