

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
RYAN J. THACKER, : FINAL DECISION AND ORDER
RESPONDENT. :

0004971

Division of Legal Services and Compliance Case No. 15 ARC 003

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

Ryan J. Thacker
403 E. Plainfield Ave.
Milwaukee, WI 53207

Architect Section of the Wisconsin Examining Board of Architects, Landscape
Architects, Professional Engineers, Designers and Professional Land Surveyors
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional 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 Ryan J. Thacker (DOB April 27, 1977) is licensed by the State of Wisconsin as an Architect, having license number 10016-5, first issued on February 22, 2006 and current through July 31, 2016. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 403 East Plainfield Avenue, Milwaukee, Wisconsin 53207.

2. During all times relevant to this matter, Respondent was employed by Barrientos Design and Consulting, LLC, a Wisconsin certified architectural or engineering corporation, as an architect/operations manager.

3. During his employment with Barrientos Design and Consulting, LLC, Respondent provided professional architectural design services for another architecture firm, including professionally stamping two (2) projects.

4. Respondent also performed independent architectural work on small single-family residential projects while employed at Barrientos Design and Consulting, LLC.

5. Respondent provided the services described above without the knowledge or consent of his employer Barrientos Design and Consulting, LLC.

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

CONCLUSIONS OF LAW

1. The Architect Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional 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. Admin. Code § A-E 8.05(1)(g) by performing services for a client or employer while a full-time employee of another employer without notifying all parties concerned.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § A-E 8.06(2) by evading the professional or contractual responsibility which he had to an employer.

4. As a result of the above violations, Ryan J. Thacker is subject to discipline pursuant to Wis. Stat. § 443.11(1)(e).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Ryan J. Thacker is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$450.

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

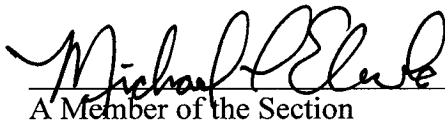
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. In the event Respondent fails to timely submit payment of the costs as ordered, Respondent's license (no. 10016-5), or Respondent's right to renew his license, 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.

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

by:


A Member of the Section

10/18/2016
Date

STATE OF WISCONSIN

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

RYAN J. THACKER
RESPONDENT

STIPULATION

0004971

Division of Legal Services and Compliance Case No. 15 ARC 003

Respondent Ryan J. Thacker and the Division of Legal Services and Compliance, Department of
Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the
Division of Legal Services and Compliance. Respondent consents to the resolution of this
investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily
and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has
the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by
subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral
arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution,
the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code,
and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has
been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Architect Section of the Wisconsin Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers and Professional Land Surveyors (Section). The parties to the
Stipulation consent to the entry of the attached Final Decision and Order without further notice,
pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the
Section's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.

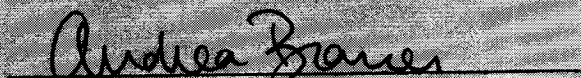
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.



Ryan J. Thacker, Respondent
403 E. Plainfield Ave.
Milwaukee, WI 53207
License no. 10016-5

5/19/2016
Date



Andrea E. Brauer, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

5/19/16
Date