

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

WILLIAM P. MCMAHON,
RESPONDENT.

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:

FINAL DECISION AND ORDER

0005285

Division of Legal Services and Compliance Case No. 16 ARC 008

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

William P. McMahon
670 Mason Ridge Center Dr., #220
St. Louis, MO 63141

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 William P. McMahon (DOB 11/21/1942) is registered by the State of Wisconsin as an Architect, having registration number 9225-5, first issued on October 2, 2001, and current through July 31, 2018. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 670 Mason Ridge Center Drive, #220, St. Louis, Missouri 63141.

2. On January 24, 2008, the Mississippi State Board of Architecture (Mississippi Board) disciplined Respondent for the practice of architecture without a license, misrepresentation by non-registered employees under Respondent's supervision, and submission of a false affidavit. Respondent was fined \$3,000.

3. On July 10, 2014, the Commonwealth of Pennsylvania Architects Licensure Board reprimanded Respondent for the discipline imposed by the Mississippi Board. Respondent was fined \$500.

4. On August 9, 2016, Respondent notified the Department of his discipline from Mississippi and Pennsylvania, and a pending investigation in Oklahoma. Division of Legal Services and Compliance Case No. 16 ARC 008 was subsequently opened for investigation.

5. On October 12, 2016, the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma fined Respondent \$6,500 for holding his business, McMahan Group, as being able to provide architectural services without possessing a valid Certificate of Authority.

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 engaged in misconduct pursuant to Wis. Admin. Code § A-E 8.03(3)(a) by violating federal or state laws, local ordinances or administrative rules relating to the practice of architecture.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § A-E 8.08(4) by failing to notify the Department within 48 hours of being disciplined for unprofessional conduct in another state.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § A-E 8.09(1) by failing to comply with all state codes which relate to the practice of architecture.

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

ORDER

1. The attached Stipulation is accepted.
2. Respondent William P. McMahon is REPRIMANDED.

3. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$325.

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 registration (no. 9225-5), or Respondent's right to renew his registration, 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

4/26/2017
Date

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 :
 :
WILLIAM P. MCMAHON, : STIPULATION
RESPONDENT. :
 : **0005285**

Division of Legal Services and Compliance Case No. 16 ARC 008

Respondent William P. McMahon 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.

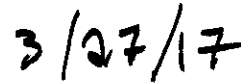
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent, for 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.



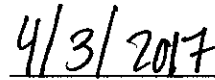
William P. McMahon, Respondent
670 Mason Ridge Center Dr., #220
St. Louis, MO 63141
Registration no. 9225-5



Date



Renee Parton, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190



Date