

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

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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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST  
  
MATTHEW D. RINKA AND RINKA INC.,  
RESPONDENTS.

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FINAL DECISION AND ORDER

**ORDER 0006547**

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Division of Legal Services and Compliance Case No. 18 ARC 016

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

Matthew D. Rinka  
756 North Milwaukee Street, Suite 250  
Milwaukee, WI 53202

RINKA Inc.  
756 North Milwaukee Street, Suite 250  
Milwaukee, WI 53202

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 Matthew D. Rinka (DOB September 3, 1973) is registered by the State of Wisconsin as an Architect, having registration number 9827-5, first issued on February 22, 2005, and current through July 31, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 756 North Milwaukee Street, Suite 250, Milwaukee, Wisconsin 53202.

2. Respondent RINKA Inc. is authorized by the State of Wisconsin as an Architectural or Engineering Firm, having certificate of authorization number 3009-11, first issued on March 30, 2006, and current through January 31, 2020. Respondent's most recent address on file with the Department is 756 North Milwaukee Street, Suite 250, Milwaukee, Wisconsin 53202.

3. Respondent Matthew D. Rinka is the responsible licensee for Respondent RINKA Inc.

4. On October 10, 2018, the Department received a complaint alleging that Respondent RINKA Inc. was engaged in the practice of architecture while its Certificate of Authorization was expired. A search of Department records showed that Respondent RINKA Inc.'s Certificate of Authorization expired on February 1, 2008. Division of Legal Services and Compliance (DLSC) Case Number 18 ARC 016 was subsequently opened for investigation.

5. On January 28, 2019, the Department emailed Respondent RINKA Inc. at its email address of record to request a response to the complaint.

6. On February 6, 2019, Respondent RINKA Inc. emailed the Department and admitted that its Certificate of Authorization had expired. On the same day, Respondent RINKA Inc. completed an Application for Certificate of Authorization to reinstate its expired credential.

7. On July 10, 2019, Respondent RINKA Inc. admitted that it had submitted 264 projects for Wisconsin state or municipal plan review between February 1, 2008, and February 14, 2018.

8. On May 16, 2019, Respondent Matthew D. Rinka was disciplined by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (the "Minnesota Board") for failing to complete the professional ethics continuing education required by Minnesota. Respondent Matthew D. Rinka was reprimanded, fined \$500, and required to complete professional ethics continuing education. While Rinka had fulfilled the necessary 24 CEU's required for his license renewal for the 2018-2020 years, he was unaware of the additional requirement by Minnesota that 2 of those 24 credits be in an ethics based category. Rinka immediately rectified the situation once he became aware of it and received notice from the Minnesota Board that he complied with all aspects of the Minnesota Board's order.

9. Respondent Matthew D. Rinka did not timely notify the Department of his discipline by the Minnesota Board. Rinka has never been involved in any disciplinary process in the past and has tightened its procedures in order to ensure compliance in the future.

10. In resolution of this matter, and to avoid additional time and expense of disputing allegations, Respondents consent 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 Matthew D. Rinka violated Wis. Stat. § 443.08(2)(a)2. by practicing or offering to practice architecture as an agent of a firm when the firm had not been issued a certificate of authorization.

3. By the conduct described in the Findings of Fact, Respondent Matthew D. Rinka violated Wis. Admin. Code § A-E 8.08(4) by failing to notify the Section within 48 hours that he had been disciplined for unprofessional conduct in Minnesota.

4. By the conduct described in the Findings of Fact, Respondent Matthew D. Rinka violated Wis. Admin. Code § A-E 8.09(1) by failing to comply with the requirements of Chapter 443 of the Wisconsin Statutes, rules, and codes which relate to the practice of architecture.

5. By the conduct described in the Findings of Fact, Respondent RINKA Inc. violated Wis. Stat. § 443.08(4)(a)1. due to its responsibility for the conduct of Matthew D. Rinka.

6. By the conduct described in the Findings of Fact, Respondent RINKA Inc. violated Wis. Stat. § 443.08(5)(a) by furnishing architectural services when the firm had not complied with Chapter 443 of the Wisconsin Statutes.

7. By the conduct described in the Findings of Fact, Respondents 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.

8. As a result of the above violations, Respondent Matthew D. Rinka is subject to discipline pursuant to Wis. Stat. § 443.11(1)(c) and (e).

9. As a result of the above violations, Respondent RINKA Inc. is subject to discipline pursuant to Wis. Stat. § 443.11(2).

### ORDER

1. The attached Stipulation is accepted.
2. Respondent Matthew D. Rinka is REPRIMANDED.
3. Respondent RINKA Inc. is REPRIMANDED.

4. Within 90 days from the date of this Order, Respondent Matthew D. Rinka shall pay COSTS of this matter in the amount of \$377.

5. Within 90 days from the date of this Order, Respondent RINKA Inc. shall pay COSTS of this matter in the amount of \$377.

6. 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

This information may also be submitted online via DSPS' Monitoring Case Management System at: <https://app.wi.gov/DSPSMonitoring>.

7. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 9827-5 and 3009-11), or Respondents' right to renew their credentials, may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with the terms of the Order. The Section may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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  
PROFESSIONAL LAND SURVEYORS

by: *A. Rohmeyer*  
A Member of the Section

**DSPS Chief Legal Counsel,**  
**Delegatee**

11-15-2019  
Date

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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MATTHEW D. RINKA AND RINKA INC.,  
RESPONDENTS.

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STIPULATION

**ORDER 0006547**

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Division of Legal Services and Compliance Case No. 18 ARC 016

Respondents Matthew D. Rinka and RINKA Inc. 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. Respondents consent to the resolution of this investigation by Stipulation.

2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:

- the right to a hearing on the allegations against Respondents, 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 Respondents;
- the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
- the right to testify on Respondents' 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 Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation. Respondents are represented by Attorney Robert Sullivan.

4. Respondents agree 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

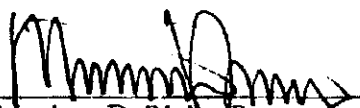
notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the Section's order, if adopted in the form as attached.

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.

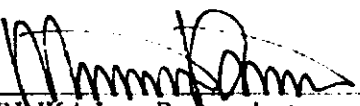
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondents, for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

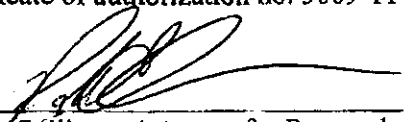
8. The Division of Legal Services and Compliance joins Respondents in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.

  
Matthew D. Rinka, Respondent  
756 North Milwaukee Street Suite 250  
Milwaukee, WI 53202  
Registration no. 9827-5

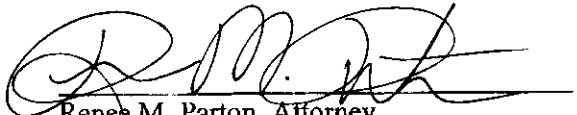
9/27/2019  
Date

  
RINKA Inc., Respondent  
By: Matthew D. Rinka  
756 North Milwaukee Street Suite 250  
Milwaukee, WI 53202  
Certificate of authorization no. 3009-11

9/27/2019  
Date

  
Robert Sullivan, Attorney for Respondents  
Schober Schober & Mitchell, S.C.  
2835 South Moorland Road  
New Berlin, WI 53151

10-1-19  
Date



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

10/1/2019  
Date