

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 :
 : FINAL DECISION AND ORDER
TOM W. MEIKLEJOHN, :
RESPONDENT. :
 : **ORDER 0007919**

Division of Legal Services and Compliance Case No. 18 ARC 012

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

Tom W. Meiklejohn
Fond du Lac, WI 54936

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 Tom W. Meiklejohn (DOB xx/xx/1959) is registered by the State of Wisconsin as an Architect, having registration number 6684-5, first issued on November 11, 1989, and current through July 31, 2020. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Fond du Lac, Wisconsin 54936.

2. On December 4, 2018, the Department received a complaint alleging that Respondent was engaged in the practice of architecture while his registration was expired. Division of Legal Services and Compliance (DLSC) Case Number 18 ARC 012 was subsequently opened for investigation.
3. On March 26, 2019, the Department emailed Respondent at his email address of record to request a response to the complaint and an explanation for why his registration expired.
4. On March 26, 2019, Respondent stated his records showed that he had paid for the renewal of his registration, but subsequently admitted he had a "Notice of Incomplete Renewal Application" in his files.
5. On April 1, 2019, Respondent renewed his architect registration. Respondent's registration was expired from August 1, 2018 to April 1, 2019.
6. On April 4, 2019, Respondent admitted he had not completed all the required continuing education (CE) hours during the 2016-2018 biennium. Respondent provided proof that he completed 18.5 CE hours, of which 10 were in Health, Safety and Welfare (HSW) topics.
7. On June 24, 2019, Respondent admitted that he worked on 11 permitted commercial projects during the time that his registration was expired.
8. Between August 10, 2018 and October 7, 2018, Respondent completed 6 CE hours, of which 6 were HSW topics, which were retroactively applied to Respondent's CE requirements for the 2016-2018 biennium. The courses taken by Respondent were:
 - Research Development & Innovation Tour/Overview, August 10, 2018, 1 HSW
 - CRAN Symposium Home Tour – Cincinnati, October 7, 2018, 5 HSW
9. In resolution of this matter, 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 violated Wis. Stat. § 443.02(2) by practicing architecture without being duly registered.
3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § A-E 12.03(1) by failing to complete at least 24 hours of continuing education during the 2016-2018 biennium.

4. As a result of the above violations, Respondent has engaged in misconduct in the practice of architecture as defined in Wis. Admin. Code § A-E 8.03(3)(a) and is subject to discipline pursuant to Wis. Stat. § 443.11(1)(d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Tom W. Meiklejohn is REPRIMANDED.

3. Any CE listed above in Finding of Fact paragraph 8, that were completed and retroactively applied to Respondent's CE requirements for the 2016-2018 biennium, may not be used to satisfy any other registered Architect CE requirements for the Section.

4. Within 90 days from the date of this Order, Respondent shall pay the COSTS of this matter in the amount of \$710.

5. Payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondents 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

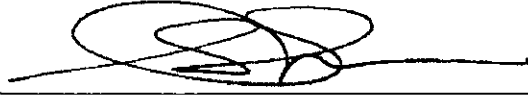
This information may also be submitted online via DSPPS' Monitoring Case Management System at: <https://app.wi.gov/DSPPSMonitoring>.

6. In the event Respondent violates any term of this Order, Respondent's credential (numbers 6684-5), or Respondent's right to renew his credential, may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has 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.

7. 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

7 October 2020

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

TOM W. MEIKLEJOHN,
RESPONDENT.

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:
:

STIPULATION

ORDER 0007019

Division of Legal Services and Compliance Case No. 18 ARC 012

Respondent Tom W. Meiklejohn 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.

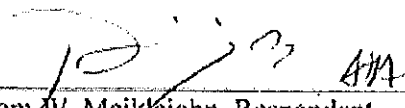
[Handwritten signature]
12.30.19

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.

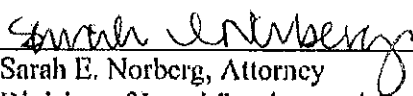
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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.



Tom W. Meiklejohn, Respondent
Fond du Lac, WI 54936
Credential No. 6684-5

12.30.2019
Date



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

1.2.20
Date