

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

JAMES W. PANKRATZ AND
DREAM ARCHITECTURE LLC,
RESPONDENTS.

FINAL DECISION AND ORDER

ORDER 0007020

Division of Legal Services and Compliance Case No. 18 ARC 011

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

James W. Pankratz
272 Indian Bend Road
Burlington, WI 53105-3907

Dream Architecture LLC
272 Indian Bend Road
Burlington, WI 53105-3907

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 James W. Pankratz (DOB 7/20/1967) is registered by the State of Wisconsin as an Architect, having registration number 8136-5, first issued on December 6, 1995, and current through July 31, 2020. Respondent James W. Pankratz's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 272 Indian Bend Road, Burlington, Wisconsin 53105-3907.

2. Respondent Dream Architecture LLC is authorized by the State of Wisconsin as an Architectural or Engineering Firm, having certificate of authorization number 3136-11, first issued on June 28, 2007, and current through January 31, 2020. Respondent Dream Architecture LLC's most recent address on file with the Department is 272 Indian Bend Road, Burlington, Wisconsin 53105-3907.

3. Respondent James W. Pankratz is the responsible licensee for Respondent Dream Architecture LLC.

4. On December 4, 2018, the Department received a complaint alleging that Respondent Dream Architecture LLC was engaged in the practice of architecture while its Certificate of Authorization was expired. Division of Legal Services and Compliance (DLSC) Case Number 18 ARC 011 was subsequently opened for investigation.

5. On March 26, 2019, the Department emailed Respondent James W. Pankratz at his email address of record to request a response to the complaint and to request copies of continuing education (CE) certificates from the 2016-2018 biennium.

6. On March 29, 2019, Respondent Dream Architecture LLC renewed its certificate of authorization.

7. On April 2, 2019, Respondent James W. Pankratz admitted that Respondent Dream Architecture LLC's certificate of authorization had been expired from February 1, 2018 to March 29, 2019.

8. On May 23, 2019, Respondent James W. Pankratz admitted that Respondent Dream Architecture LLC had worked on 17 residential and 21 commercial projects during the time that its certificate of authorization had been expired.

9. On April 5, 2019, Respondent James W. Pankratz admitted that he had not completed any CE credits during the 2016-2018 biennium. Respondent James W. Pankratz provided proof that he had completed 24 CE credits, of which 15 were Health, Safety, and Welfare credits, in the 2018-2020 biennium.

10. 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 James W. Pankratz 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 James W. Pankratz 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. By the conduct described in the Findings of Fact, Respondent Dream Architecture LLC violated Wis. Stat. § 443.08(4)(a)1. due to its responsibility for the conduct of James W. Pankratz.
5. By the conduct described in the Findings of Fact, Respondent Dream Architecture LLC violated Wis. Stat. § 443.08(5)(a) by furnishing architectural services when the firm had not complied with Chapter 443 of the Wisconsin Statutes.
6. 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.
7. As a result of the above violations, Respondent James W. Pankratz is subject to discipline pursuant to Wis. Stat. § 443.11(1)(c) and (e).
8. As a result of the above violations, Respondent Dream Architecture LLC is subject to discipline pursuant to Wis. Stat. § 443.11(2).

ORDER

1. The attached Stipulation is accepted.
2. Respondent James W. Pankratz is REPRIMANDED.
3. Respondent Dream Architecture LLC is REPRIMANDED.
4. All CE hours listed above in Finding of Fact paragraph 9 shall be retroactively applied to Respondent James W. Pankratz's CE requirements for the 2016-2018 biennium, and may not be used to satisfy the requirements of the 2018-2020 biennium or any other requirements with the Board.
5. The registration issued to James W. Pankratz is LIMITED as follows:

a. Within ninety (90) days from the date of this order, Respondent James W. Pankratz shall successfully complete one (1) hour of education on the topic of health, safety, and welfare.

b. Respondent James W. Pankratz shall submit proof of successful completion of the ordered education in the form of verification from the institution providing the education to the Department Monitor at the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board or the Department, and also may not be used in future attempts to upgrade a credential in Wisconsin.

c. This limitation shall be removed from Respondent James W. Pankratz's registration after satisfying the Section or its designee that he has successfully completed all of the ordered education.

6. Within 90 days from the date of this Order, Respondent James W. Pankratz shall pay one-half of the COSTS of this matter in the amount of \$250.

7. Within 90 days from the date of this Order, Respondent Dream Architecture LLC shall pay one-half of the COSTS of this matter in the amount of \$250.

8. Requests for pre-approval, proof of successful course completion and 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

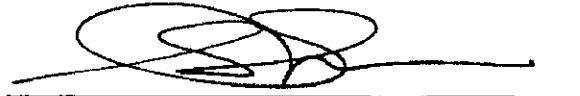
This information may also be submitted online via DSPS' Monitoring Case Management System at: <https://app.wi.gov/DSPSMonitoring>.

9. In the event Respondents violate any term of this Order, Respondents' credentials (numbers 8136-5 and 3136-11), 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.

10. 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 handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

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

JAMES W. PANKRATZ AND
DREAM ARCHITECTURE LLC,
RESPONDENTS

STIPULATION

ORDER 0007020

Division of Legal Services and Compliance Case No. 18 ARC 011

Respondents James W. Pankratz and Dream Architecture LLC 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.
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

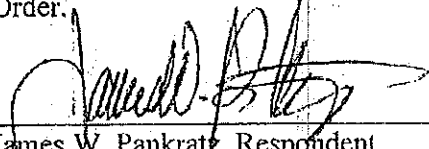
notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the Section's order, if adopted in the form as attached.

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.

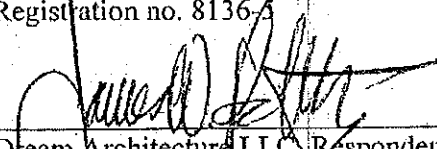
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondents, for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


James W. Pankratz, Respondent
272 Indian Bend Road
Burlington, WI 53105-3907
Registration no. 8136-1

Oct. 8, 2019
Date


Dream Architecture LLC, Respondent
By: James W. Pankratz
272 Indian Bend Road
Burlington, WI 53105-3907
Certificate of authorization no. 3136-11

Oct. 8, 2019
Date


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

10.9.2019
Date