

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA
BOARD OF ARCHITECTURE
CASE 618

IN THE MATTER OF:

John T. Mills,

Respondent.

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CONSENT ORDER

THIS CAUSE, coming before the North Carolina Board of Architecture at its offices at 127 W. Hargett Street, Suite 304, Raleigh, Wake County, North Carolina, with a quorum present. The Board and Respondent agree to entry of the following CONSENT ORDER.

FINDINGS OF FACT

1. The North Carolina Board of Architecture, an independent agency of the State of North Carolina, is organized under the provisions of Chapter 83A of the General Statutes of North Carolina and is charged with such duties and exercises such powers as are provided therein.
2. Chapter 83A of the North Carolina General Statutes creates the Board in order to, among other things, administer the statutes and rules of the Board, including safeguarding the public life, health and property of individuals, including but not limited to preventing the prohibited practice of architecture.
3. Respondent John T. Mills ("Mills"), an architect licensed in Colorado and North Carolina, was initially identified as "Principal in Charge" of Kohan Architecture, P.C. ("Kohan Architecture"), a Colorado professional corporation whose status with the Colorado Secretary of State's Office is that of "noncompliant" because it has failed to file an annual report.
4. Mills was also identified as a 70% shareholder in Kohan Architecture.
5. One Mohsen Ghoreishi, an individual who is not licensed to practice architecture in North Carolina or any other jurisdiction, was identified as the President of Kohan Architecture and as a 30% shareholder.
6. Kohan Architecture applied for a certificate of registration from the North Carolina Board of Architecture.

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7. Ghoreishi intended to provide architectural services through Kohan Architecture in North Carolina.
8. At all relevant times, Mills resided in Colorado and had his principal place of business there.
9. Mills has cooperated in the investigation of this matter and provided evidence that once he learned of the regulatory questions regarding Ghoreishi's efforts to engage in the practice of architecture through Kohan Architecture, Mills contacted Ghoreishi in writing and withdrew his participation in the efforts to register Kohan Architecture in North Carolina.
10. Respondent wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written.

WHEREFORE, THE BOARD MAKES THE FOLLOWING:


CONCLUSIONS OF LAW

1. Mills could not have adequately supervised Ghoreishi as required by N.C. Gen. Stat. § 83A-15(a)(1) and 21 NCAC § 02.0206. However, Kohan Architecture never qualified to do business in North Carolina because, in part, Mills withdrew his participation before the firm was approved by the North Carolina Board of Architecture.
2. Mills did not willfully violate the North Carolina Architecture statutes and rules.

WHEREFORE, IT IS ORDERED:

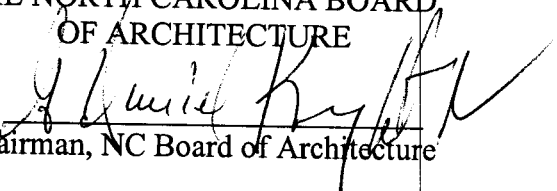
1. Mills agrees to reimburse the Board for some administrative costs necessitated by the investigation of this matter.
2. The Board shall issue a letter of caution to Mills to refrain from engaging in conduct that could appear to facilitate the unauthorized practice of architecture.
3. This Consent Order does not constitute discipline, shall not be listed on Mills' disciplinary record with the Board, and shall therefore not be reported to NCARB or any other state board as discipline.

CONSENTED TO:


John T. Mills 01.04.07
DATE

APPROVED BY THE BOARD THIS THE 17th DAY OF January, 2006.07

THE NORTH CAROLINA BOARD
OF ARCHITECTURE

By 
Chairman, NC Board of Architecture