

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA BOARD
OF ARCHITECTURE
CASE NO. 687

In the matter of:
MBAJ Architecture, PA

Respondent Firm

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)

CONSENT ORDER

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

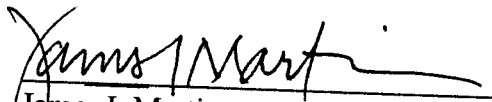
1. Respondent firm is licensed by this Board and is subject to Chapter 83A of the General Statutes of North Carolina and Title 21, Chapter 2 of the North Carolina Administrative Code.
2. Respondent firm employs Stephen H. Wilt, an individual who has been identified as a "project architect" for projects in the State of North Carolina. Wilt is not now or ever has been licensed to practice architecture in this State.
3. Stephen H. Wilt is not an officer, director or shareholder of Respondent firm.
4. Principle of the firm, James I. Martin indicates that the firm was not aware that Wilt had been using the title project architect and signing correspondence to that effect. Additionally, Martin asserts that all work performed by Wilt is performed under the responsible charge of an architect licensed in the State of North Carolina.
5. Principle of the firm, James I. Martin has indicated that Wilt, as an employee of Respondent firm, has been instructed to cease and desist using the term architect or any form thereof in connection with projects associated with MBAJ Architecture, PA.
6. Respondent firm's action in allowing Stephen H. Wilt to use the title project architect is a violation of G.S. 83A-1.
7. Principles of Respondent firm wish to resolve this matter by Consent and agree that the Board staff and counsel may discuss this Order with the Board *ex parte* whether or not the Board accepts this Order as written.

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BASED on the foregoing and in lieu of further proceedings under 21 N.C.A.C. Chapter 2, Section .0600, the Board and respondent agree to the following:

1. Respondent firm shall institute a mandatory continuing education program for all firm employees describing the acceptable use of the term architect as outlined in the attached correspondence (Exhibit A) dated September 26, 2006 and signed by James I. Martin.
2. Respondent firm shall pay a Civil Penalty in the amount of \$500.00.

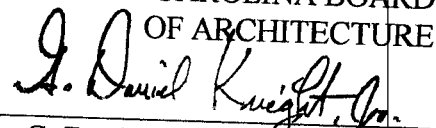
CONSENTED TO:


James I. Martin
For the Firm MBAJ Architecture PA

Date November 1, 2006

APPROVED BY THE BOARD THIS THE 17 DAY OF January 2007 ~~2006~~

THE NORTH CAROLINA BOARD
OF ARCHITECTURE


G. Daniel Knight, Jr. Chairman



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September 26, 2006

Cathe M. Evans
Executive Director
North Carolina Board of Architecture
127 West Hargett Street
Suite 304
Raleigh, NC 27601

RE: Case #687, Mr. Stephen H. Wilt

Dear Ms. Evans:

We are in receipt of your letter, dated September 20, 2006, regarding Case #687 involving Mr. Stephen H. Wilt, an employee of our firm. Thank you for bringing this matter to our attention. Per your request, we would like to address the concerns raised in your letter and the actions taken to rectify this situation..

MBAJ Architecture was aware that Mr. Wilt was a Licensed Architect in the State of Pennsylvania and not licensed to practice Architecture in the State of North Carolina. We were unaware that Mr. Wilt had signed correspondence related to work performed for our firm adopting the title "Project Architect". It has been our firm's policy to abide by the rules governing professional conduct and specifically have prohibited the use of the term "Architect" by personnel not Licensed to Practice Architecture in the State of North Carolina. All work issued by MBAJ Architecture is prepared under the supervision of such a registered professional. As such, all of the work undertaken by Mr. Wilt, while in the employ of MBAJ Architecture, has been performed under the supervision of an Architect licensed in the State of North Carolina.

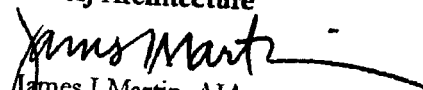
We have spoken with Mr. Wilt at length about this issue, specifically instructed him to desist from the use of the term 'Architect' until such time as he is registered in the State of North Carolina, instructed him in the rules regarding use of the title 'AIA' and made him aware of the severe consequences that will result should any similar situations occur in the future.

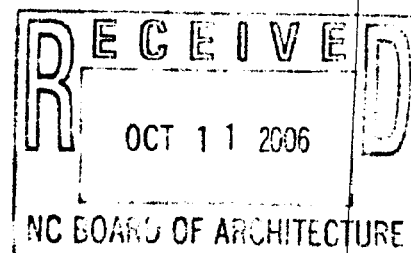
MBAJ Architecture will institute a mandatory education program for all firm employees describing the acceptable use of the term "Architect", the use of the title "AIA" and the rules of professional conduct outlined by the General Statutes. Finally, MBAJ will update its employee handbook with a clarification of these important issues.

We hope this information adequately addresses the concerns of the Board of Architecture. We look forward to the prompt resolution of this issue.

Sincerely,

MBAJ Architecture


James I Martin, AIA
JM/rvm





November 1, 2006

Cathe M. Evans
Executive Director
North Carolina Board of Architecture
127 West Hargett Street, Suite 304
Raleigh, N.C. 27601

RE: Case #687, Mr. Stephen H. Wilt

Dear Ms. Evans:

Thank you for your letter of October 23, 2006 and the proposed Consent Order from the Board's Professional Standards Committee. We appreciate your thoughtful consideration of our case.

We do wish to accept the Consent Order and have enclosed our check in the amount of \$500.00 for the Civil Penalty. We are proceeding immediately with the implementation of our continuing education program describing and emphasizing the acceptable use of the term "Architect", the use of the title "AIA" and the rules of professional conduct outlined by the General Statutes.

We hope this information adequately addresses the Board's concerns. Please contact us if any further information or action is required.

Best Regards,

MBAJ Architecture

A handwritten signature in black ink, appearing to read "James I. Martin". The signature is written in a cursive style with a long horizontal line extending to the right.

James I. Martin, AIA