

CASE 1232

In the matter of:)
Brian Cook)
Respondent)

CONSENT ORDER

THIS CAUSE, coming before the Board at its offices in Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to NCGS 150B-41 and 150B-22, the Board and Respondent stipulate the following **FINDINGS OF FACT:**

1. Respondent is licensed as an architect 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 was randomly selected to be audited pursuant to Board Rule 21 NCAC 02.0904(e) for compliance with continuing education requirements for calendar year 2021; and responded by demonstrating proof of only 5.5 contact hours.
3. Respondent certified on the 2022-2023 License Renewal for Individual Registration that he complied with the North Carolina Rules and Laws governing continuing education and earned twelve contact hours in Health, Safety and Welfare related subjects, and,
4. Respondent certified on the 2022-2023 License Renewal for Individual Registration that he read the North Carolina Architectural and Registered Interior Design Laws and Rules, and,
5. Respondent did not claim an exemption from North Carolina’s continuing education requirements and failed to adequately substantiate the verification of compliance with the continuing education requirements for 2021;
6. Respondent’s action in failing to obtain twelve hours of Continuing Education in the areas of health, safety and welfare is a violation of 21 NCAC 02 .0903.
7. Respondent’s action in falsely certifying on his 2021-2022 individual renewal form that he complied with Board rules governing Continuing Education is a violation of 21 NCAC 02 .0203.
8. Respondent wishes to resolve this matter by Consent and agrees 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.

CONCLUSIONS OF LAW

\$ 1250⁰⁰
8/2/22
CHK 1327

1. Respondent is subject to jurisdiction before the Board.
2. The Board is authorized to resolve this matter by Consent Order.
3. The findings of fact set forth above demonstrate Respondents' lack of knowledge and understanding of 21 NCAC 02.
4. The findings of fact set forth above also demonstrate Respondents' violations of N.C. Gen. Stat. 83A.
5. Respondent wishes to resolve this matter by Consent and agrees 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.
6. Pursuant to N.C. Gen. Stat. §§ 83A-14 and -15, the Board has the power to suspend or revoke a license or certificate of registration, to deny a license or certificate of registration, or to reprimand or levy a civil penalty against any registrant who is found guilty of dishonest conduct, incompetence, or unprofessional conduct.

DISCIPLINARY ACTION

In lieu of a disciplinary hearing the Board and Respondent agree to the following Order:

1. Respondent shall complete earning all health, safety and welfare contact hours necessary to fulfill the continuing education required for the calendar year 2021. Respondent may not use these hours towards the 2022 CE requirement. Respondent must earn an additional 6.5 HSW hours.
2. Respondent shall pay a Civil Penalty in the amount of \$1,000.00.
3. Respondent shall submit documentation for proof of compliance in accordance with Rule 21 NCAC 02.0905(a) to be received by the Board as attached to this signed Order; and,
4. Respondent shall be on probation until the Respondent renews registration for the license year 2023-2024; and,
5. If Respondent violates any of North Carolina's architecture laws and rules during the period of probation, the North Carolina Board of Architecture and Registered Interior Designers may suspend the Respondent's license for 30 days in addition to any other discipline found by the Board to be appropriate for said violation; and,
6. Respondent will reimburse the Board for all administrative costs associated with this action in the amount of \$200.00.

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA BOARD
OF ARCHITECTURE AND REGISTERED
INTERIOR DESIGNERS

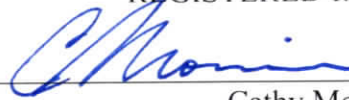
CONSENTED TO THIS THE 26TH DAY OF July 2022



Brian Cook
Respondent

APPROVED BY THE BOARD THIS THE 9 DAY OF September, 2022.

NORTH CAROLINA BOARD OF ARCHITECTURE AND
REGISTERED INTERIOR DESIGNERS



Cathy Morrison
President