

Case 1239

In the matter of:)
Robert W. Elliot) CONSENT ORDER
Respondent)

THIS CAUSE, coming before the North Carolina Board at its offices at 434 Fayetteville Street Suite 2005, Raleigh, Wake County, North Carolina, with a quorum present. The Board and Respondent agreed to entry of the following Consent Order.

1. Respondent Elliot was previously licensed as an architect by this Board and has submitted an application to reinstate his license. He is subject to Chapter 83A of the General Statutes of North Carolina (NCGS 83A) and Title 21, Chapter 2 of the North Carolina Administrative Code (21 NCAC 02).
2. Respondent's license expired on June 30, 2021. The license was suspended for failure to renew, a non-disciplinary action. Nonetheless, Respondent offered and rendered architectural services on multiple projects in the state of North Carolina.
3. 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

1. Respondents are 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 also demonstrate Respondents' violations of NCGS 83A-11, 83A-12 and violations of 21 NCAC 02 .0203, and 21 NCAC 02 .0213.
4. 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.

BASED on the foregoing and in lieu of further proceedings under 21 N.C.A.C. Chapter 2, Section .0600, Respondent wishes to resolve this matter by consent and agrees that 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.

Whereas Respondent acknowledges that he has read this entire document and understands it;

Whereas Respondent acknowledges that he enters into this Consent Order freely and voluntarily;

Whereas Respondent acknowledges that he has had full and adequate opportunity to confer with legal counsel, if desired, regarding this matter;

Whereas Respondent understands that this Consent Order must be presented to the Board for approval and that Respondent hereby waives any argument that any Board members considering this Consent Order are disqualified from participating in a hearing of this matter; and

9/8/22
1423
\$ 200

Whereas the Board has determined that the public interest is served by resolving this matter as set forth below.

THEREFORE, with the consent of Respondent, it is ORDERED that:

1. Respondent Elliot agrees to pay a Civil Penalty in the amount of \$2,500.00.
2. Respondent Elliot agrees to pay administrative costs of \$200.00.
3. Respondent Elliot agrees to pay back individual renewal fees and late penalty fees in the amount of \$300.00.
4. Upon execution of this Order Respondent's individual license number 13567 will be reinstated and will expire on June 30, 2023 at which time it will be eligible for renewal for the individual license year 2023-2024.
5. Respondent must submit with this signed Consent Order proof of twenty-four (24) hours of Continuing Education in the areas of health, safety and welfare that were earned between August 17, 2021 and August 16, 2022.
6. The Board shall retain jurisdiction under Article 3A, Chapter 150B for all administrative hearings held in connection with or pursuant to this Consent Order. If the Board receives evidence that Respondent, has violated any term of this Consent Order or any other law or rule enforced by the Board, the Board shall remove the stay and may impose such disciplinary action as it determines is appropriate and is authorized by law.
7. This Order is the final disposition of this matter and no hearing before the Board will be granted or held on this matter. This Consent Order shall take effect immediately upon its execution by all parties and reflects the entire agreement between Respondents and the Board, there being no agreement of any kind, verbal or otherwise, which varies, alters, or modifies this Consent Order.
8. No modification or waiver of any provision of this Consent Order shall be effective unless it is in writing, adopted and approved by the Board, and signed by the parties affected.
9. Both the Board and Respondent participated in the review of this Consent Order. Any ambiguities herein shall not be construed against either party in any future civil or administrative proceeding.
10. Respondent hereby waives any requirement under any law or rule that this Consent Order be served upon him.
11. Upon its execution by the Board and Respondent, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination in, among other places, the Board newsletter and web site, and shall be entered into the Minutes of the Board as an official act.
12. This document constitutes official disciplinary action and may require the Respondent licensee to report action to other licensure authorities or government entities.

NORTH CAROLINA
WAKE COUNTY OF

BEFORE THE NORTH CAROLINA BOARD
ARCHITECTURE &
REGISTERED INTERIOR DESIGNERS

13. This document is public record. This disciplinary action shall be reported and posted with the National Council of Architecture Registration Boards, shall be reported in the Board newsletter, web site and shall be entered into the Minutes of the Board as an official act.

CONSENTED TO:


Robert Weir Elliot

Date: 8-31-22

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

THE NORTH CAROLINA BOARD
OF ARCHITECTURE & REGISTERED
INTERIOR DESIGNERS

By: 
Cathy Morrison
Board President