

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA BOARD  
OF ARCHITECTURE AND REGISTERED  
INTERIOR DESIGNERS

CASE NO. 1226

In the matter of: )  
Robert Charles Evans ) 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 Evans is licensed as an architect by this Board and 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 prepared a set of plans for the Addison Ridge swimming pool project in Fayetteville, North Carolina. The plans included technical content related to plumbing and electrical requirements that exceed the definition of incidental engineering, which were nevertheless sealed by the Respondent.
3. Respondent failed to provide adequate and accurate information to the Department of Health and Human Services Pools, Tattoos and State Institutions Program Division.
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.

**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 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 NCGS 83A-14 and 83A-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 a violation of Board rules and laws.

BASED on the foregoing and in lieu of further proceedings under 21 NCAC 02, 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.

8/22/22  
\$700.00  
CHK 4504

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Whereas Respondent acknowledges that he has had full and adequate opportunity to confer with legal counsel in connection with 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

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

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

1. The Board hereby reprimands the license of Respondent Robert Charles Evans.
2. Respondent Evans agrees to pay a Civil Penalty in the amount of \$500.00.
3. Respondent Evans agrees to pay administrative costs of \$200.00.
4. Respondent Evans is prohibited from offering and/or rendering professional engineering services.
5. Respondent Evans shall not place his seal on plumbing, mechanical, and electrical engineering plans or architectural plans that contain plumbing, mechanical, and electrical engineering work.
6. Respondent Evans is placed on probation for a period of one year from the date of this Order.
7. Respondent Evans must during the period of his probation, provide to the Board by the first day of each month, a list of all current swimming pool projects. The list must include the project scope, address, and status.
8. 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.
9. 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.
10. 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.
11. Respondent hereby waives any requirement under any law or rule that this Consent Order be served upon him.
12. 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 or web site, the National Council of Architecture Registration Boards and shall be entered into the Minutes of the Board as an official act.

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13. This document constitutes official disciplinary action and may require the Respondent licensee to report action to other licensure authorities, NCARB or government entities.
14. Respondent agrees that in the event of future disciplinary actions, this Consent Order and the facts underlying it may be admitted in such future investigations and disciplinary matters, including future contested case hearings.


CONSENTED TO:

  
Robert Charles Evans

Date: 28.11.22

APPROVED BY THE BOARD THIS THE 7<sup>th</sup> DAY OF September, 2022.

THE NORTH CAROLINA BOARD  
OF ARCHITECTURE & REGISTERED  
INTERIOR DESIGNERS

  
Cathy Morrison, Board President