

LOUISIANA STATE BOARD OF ARCHITECTURAL EXAMINERS
9625 FENWAY AVENUE, SUITE B
BATON ROUGE, LOUISIANA 70809-1592
(225) 925-4802

IN THE MATTER OF:)
)
RGD ARCHITECTURE, INC.)
)
RESPONDENT)
)
)
)

CASE NO. 2021-03

CONSENT ORDER

The Louisiana State Board of Architectural Examiners [hereinafter the "Board"], by and through its Executive Director, pursuant to authorization by the Board, and RGD Architecture, Inc. [hereinafter "Respondent"], by and through its duly authorized undersigned representative, hereby agree to the following:

Prior to July 1, 2016, Respondent was licensed in the State of Louisiana as an Architectural Corporation, number AC0497; however, its license was in an expired status from July 1, 2016, through January 21, 2020. At all times material hereto, Russell G. DeLancy was licensed in the State of Louisiana as an architect, number 4544. At all times material hereto, DeLancy was an employee and director of Respondent.

An investigation was opened based upon the Board's receipt of information and/or documents which suggested that the Respondent practiced and/or offered to practice architecture in the State of Louisiana during which time its license was expired. The investigation disclosed that between July 1, 2016, and January 21, 2020, Respondent practiced and/or offered to practice architecture on approximately seven (7) projects in Louisiana.

La. R.S. 37:153(A)(3) prohibits licensees from practicing architecture in Louisiana without proper licensure. La. R.S. 37:154(A) prohibits any person from practicing, or offering to practice, architecture in Louisiana without being properly certified. La. R.S. 37:153 and La. R.S. 37:154(A) authorize the Board to take disciplinary action against persons who violate La. R.S. 37:153(A)(3) and La. R.S. 37:154(A) upon finding of guilt following notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:153(A)(3) and La. R.S. 37:154(A) were in effect at all times material hereto.

It is undisputed that Respondent's license to practice and/or offer to practice architecture in Louisiana was in an expired status from July 1, 2016, through January 22, 2020, and during this time period Respondent practiced and offered to practice architecture in Louisiana.

By letter dated March 11, 2021, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that it may have violated La. R.S. 37:153(A)(3) and La. R.S. 37:154(A) relative to practicing and/or offering to practice architecture in Louisiana with an expired license.

Wishing to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, and for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to (a) pay a fine of four thousand and no/100 (\$4,000.00) dollars, remitted in eight (8) equal payments over eight (8) consecutive months, (b) pay administrative costs of three hundred sixteen and 98/100 (\$316.98) dollars, and (c) the immediate suspension of DeLancy's Louisiana architectural license, if a scheduled payment to the Board is missed, until such time as the remaining balance is paid in full, (d) the publication of this Consent Order on the Board's website, the publication of a summary of this matter in the Board's official newsletter, *Louisiana Architect*, and the reporting of this matter to the National Council of Architectural Registration Boards (NCARB), all identifying Respondent by name.

Respondent admits that its conduct as set forth above constitutes violations of the above-referenced laws and/or rules as stated herein. Respondent acknowledges awareness of said laws and/or rules and states that it will comply with all applicable laws and rules henceforth.

Respondent has been advised of its right to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in its own behalf, it hereby waives this right and its right to appeal, and it states affirmatively that it has been afforded all administrative remedies due it under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive its right to a hearing before the Board, to the presenting of evidence and witnesses in its behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents that (a) it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) it has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with it by any person whatsoever to cause the execution of this instrument, and (c) the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana State Board of Architectural Examiners and Respondent agree that:

1. Respondent shall pay a fine of four thousand and no/100 (\$4,000.00) dollars, which shall be tendered to the Board by certified check payable to the Treasurer, State of Louisiana, remitted in eight (8) equal payments over eight (8) consecutive months, with the first payment due upon the signing of this Consent Order and the remaining payments due to the Board by the 15th of each month; and

2. Respondent shall pay administrative costs of three hundred sixteen and 98/100 (\$316.98) dollars, which shall be tendered to the Board by certified check payable to the Louisiana State Board of Architectural Examiners, due upon the signing of this Consent Order; and

3. If Respondent fails to make any of the scheduled payments during the payment period, then DeLancy's Louisiana architectural license, number 4544, shall be automatically and immediately suspended until such time as the remaining balance of the fine is paid in full; and

4. This Consent Order shall be published on the Board's website, a summary of this matter shall be published in the official newsletter of the Board, *Louisiana Architect*, and this matter shall be reported to the National Council of Architectural Registration Boards (NCARB), all identifying Respondent by name; and

5. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration, or resolution of any further proceedings herein.

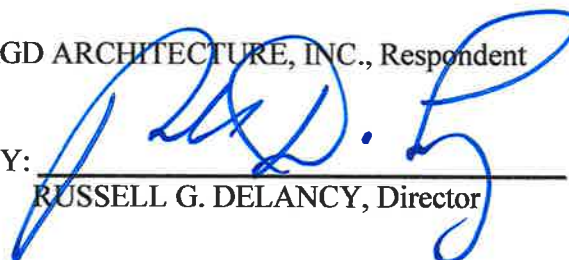
LOUISIANA STATE BOARD OF
ARCHITECTURAL EXAMINERS

DATE: 4/16/2021

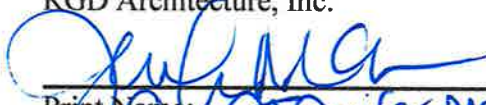
BY: 
KATHERINE E. HILLEGAS, Executive Director


RGD ARCHITECTURE, INC., Respondent

DATE: 3-29-2021

BY: 
RUSSELL G. DELANCY, Director

Witnesses to the signature of
RGD Architecture, Inc.


Print Name: Jennifer McRae


Print Name: Lisa Delancy