

LOUISIANA STATE BOARD OF
ARCHITECTURAL EXAMINERS
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BATON ROUGE, LOUISIANA 70809-1592
(225) 925-4802

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IN THE MATTER OF:)
)
J. A. MODINGER, ARCHITECT, LLC)
)
RESPONDENT)
)
)
)
_____)

CASE NO. 2023-24

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 J. A. Modinger, Architect, LLC [hereinafter "Respondent"], represented herein by its duly authorized manager and member, Jack Alex Modinger, hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as an architectural firm, number AF0955.

An investigation was opened based upon the Board's receipt of information which suggested that Respondent had practiced architecture in Louisiana during a time that its architectural certificate of authority was expired. The investigation disclosed that Respondent's certificate of authority expired on June 30, 2019, and remained in an "expired" status until Respondent applied for reinstatement on May 17, 2023. Information subsequently received from the Louisiana State Fire Marshal's Office ("SFMO") indicated Respondent submitted twelve (12) projects for review between July 1, 2019 and March 15, 2023.

La. R.S. 37:153(A)(3) prohibits an architect from practicing architecture when his current renewal has not been obtained. La. R.S. 37:154(A) prohibits all persons, including firms, from practicing architecture in this state with an expired certificate of registration. La. R.S. 37:153(A)(6) authorizes 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 a 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), La. R.S. 37:153(A)(6), and La. R.S. 37:154(A) were in effect at all times material hereto.

It is undisputed that **(a)** on June 30, 2019, Respondent's certificate of authority to practice architecture expired and was not reinstated until May 17, 2023, and **(b)** during that time, Respondent submitted at least twelve (12) projects to the SFMO for review.

By letter dated October 10, 2023, the Committee gave notice to Respondent that it was considering the preferral of charges against it on the grounds that it may have violated La. R.S. 37:153(A)(3), La. R.S. 37:153(A)(6), and La. R.S. 37:154(A) relative to practicing architecture in Louisiana with an expired certificate of authority.

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 his own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to **(a)** pay a fine of two thousand and no/100 (\$2,000.00) dollars, **(b)** pay administrative costs of three-hundred thirty-nine and 12/100 dollars (\$339.12), **(c)** its manager and supervising professional architect Jack Alex Modinger, license number 7060, successfully completing, with a minimum score of 80%, the Board's *Laws & Rules Quiz* for which no continuing education credit will be awarded, and which may be accessed on the Board's website, due upon the signing of this Consent Order; **(d)** publication of this Consent Order on the Board's website and a summary of this matter in the Board's official newsletter, *Louisiana Architect*, to read, "J. A. Modinger, Architect, LLC (hereinafter 'Respondent'), an architectural firm (license #AF0955), was subject to disciplinary action by the Board for practicing architecture in Louisiana with an expired certificate of authority in violation of La. R.S. 37:153(A)(3), La. R.S. 37:153(A)(6), and La. R.S. 37:154(A). On June 30, 2019, Respondent's certificate of authority



to practice architecture expired. On May 17, 2023, Respondent submitted to the Board an application for reinstatement of its certificate of authority to practice architecture. Information received from the Louisiana State Fire Marshal's Office indicated that Respondent had submitted at least twelve (12) projects for review between July 1, 2019 and March 15, 2023. Respondent has entered into a Consent Order with the Board wherein it admitted to the referenced violation of the above laws and agreed to pay a fine of \$2,000; to pay administrative costs of \$339.12; to its manager and supervising professional architect Jack Alex Modinger, license number 7060, successfully completing, with a minimum score of 80%, the Board's 'Laws & Rules Quiz' for which no continuing education credit will be awarded, and which may be accessed on the Board's website, due upon the signing of this Consent Order; to the publication of this Consent Order on the Board's website; to the printing of a summary of this matter in the official newsletter of the Board, Louisiana Architect, identifying Respondent by name, and to the reporting of this matter to the National Council of Architectural Registration Boards ('NCARB') Disciplinary Database, identifying Respondent by name."; and (e) to the reporting of this matter to the National Council of Architectural Registration Boards ("NCARB") Disciplinary Database, 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 that this Consent Order constitutes a disciplinary action by the Board against it and its Louisiana certificate of authority to practice architecture. Respondent also 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 on its own behalf; it hereby waives these rights 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 on 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 two thousand and no/100 (\$2,000.00) dollars, which shall be tendered to the Board by certified check payable to the Treasurer, State of Louisiana, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs of pay administrative costs of three-hundred thirty-nine and 12/100 dollars (\$339.12), 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. Respondent's president and supervising professional architect, Jack Alex Modinger, license number 7060, shall successfully complete, with a minimum score of 80%, the Board's *Laws & Rules Quiz* for which no continuing education credit will be awarded, and which may be accessed on the Board's website, due upon the signing of this Consent Order; and



4. This Consent Order shall be published on the Board's website, and a summary of this matter shall be printed in the official newsletter of the Board, *Louisiana Architect*, and reported to the National Council of Architectural Registration Boards ("NCARB") Disciplinary Database, 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: 5.31.2024

BY: 
TYSON J. DUCOTE, Executive Director

J. A. MODINGER, ARCHITECT, LLC

DATE: 2 Dec 2023

BY: 
Jack Alex Modinger, Manager

Witnesses to the signature of Jack Alex Modinger:



Printed Name: Marco Modinger



Printed Name: Amy Berg

