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State Board of Architects

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Before the

v.

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State Board of Architects

Thomas Goubeaux

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Agency Case No.: 16-AR-05

Respondent

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Consent Order

This matter comes before the State Board of Architects (“Board”) as the result of an audit of Continuing Professional Competency (“CPC”) hours conducted by the Board in connection with the 2015 renewal application of Thomas Goubeaux (“Respondent”) license no. 04-6660. As a means of resolving this matter, the Board and the Respondent have agreed to enter into this Consent Order, and agree and stipulate to the following:

1. On July 23, 2015, the Respondent submitted an application for the renewal of his architect’s license for the period of 2015-2017.
2. Pursuant to Section 3-309.1(a) (1), Business Occupations and Professions Article, Maryland Annotated Code, the Respondent was required to complete 24 hours of continuing education during the 24 month period preceding the renewal date of July 23, 2015.
3. The Respondent was notified during the online application process that he was the subject of a random audit of his CPC hours and was required to provide certificates of completion of the hours to the Board within 30 days of the date of the audit.
4. The Respondent failed to respond to the audit and has not provided documentation to the Board that he completed the required number of hours for the renewal of his license.

5. The Respondent's failure to provide the documentation is in violation of Section 3-311(a) (1)(iv) of the Business Occupations and Professions Article, Maryland Annotated Code, and 09.21.05.07C and 09B of the Code of Maryland Regulations ("COMAR").

6. The Respondent agrees to pay a fine in the amount of Five Hundred Dollars (\$500) in connection with the violation of Section 3-309.1, Business Occupations and Professions Article, Maryland Annotated Code. The fine is to be paid within thirty (30) days of the date of this Consent Order.

7. The Respondent agrees to apply for a retired status license or "architect emeritus" under Section 3-309.2 of the Business Occupations and Professions Article, Maryland Annotated Code, and in accordance with the provisions of 09.21.04.03 and 09.21.05.11 of COMAR. Application for a retired status license is to be submitted to the Board within three (3) days of the date of this Consent Order.

8. The Respondent further agrees that if the application for a retired status license is not approved by the Board, the Respondent will pay the fine in item no. 6 herein and complete 24 hours of CPC related to the protection of the health, safety, and welfare of the general public as required by the Board for the renewal of his license for the 2015-2017 renewal period. These hours may not be used for any other renewal period. The hours must be completed within thirty (30) days of the date of notice to the Respondent that his application for retired or emeritus status was not approved by the Board. The Respondent further agrees that under such circumstances and upon completion of the required hours, he will provide the Board with the original

certificates or transcript from the Continuing Education System of the AIA verifying completion of the hours in accordance with Section 3-309.2(c).

9. The Respondent waives the right to the issuance of a statement of charges and a formal hearing on the charges in this matter and where the Respondent would have the opportunity to present a defense to the charges.

10. The Respondent agrees that if the Respondent fails to comply with the terms of this Consent Order, the Respondent's license will immediately be suspended by the Board, without a hearing on the suspension, and that the suspension will continue until the Respondent evidences compliance. The Respondent recognizes that should the license be suspended, the Board is required to notify the National Council of Architectural Registration Boards of the suspension of license.

11. The Respondent and the Board understand that this Consent Order will serve as the Final Order in this matter and be a part of the Respondent's licensing record that is maintained by the Board. The Board's records and publications will reflect the terms of the Consent Order.

WHEREFORE, based on these stipulations and agreements, it is hereby this

21 day of June, 2016, **ORDERED** by the State Board of

Architects:

- I. **That** the Respondent has been found to have violated Section 3-309.1(a) (1), Business Occupations and Professions Article, Maryland Annotated Code and COMAR 09.21.05.07C.
- II. **That** the Respondent shall pay a fine of Five Hundred Dollars (\$500) in connection with the violation, within thirty (30) days of this Consent Order;

- III. **That** the Respondent shall apply for retired status license or “architect emeritus” within three (3) days of this Consent Order;
- IV. **That**, if the Respondent’s application for a retired status license or “architect emeritus” is not approved by the Board, the Respondent shall complete the 24 hours of continuing education required by the Board for the renewal of his license within thirty (30) days of the date of notice to the Respondent that his application was not approved. Further, the Respondent shall provide the Board with the original certificates of completion or transcript from the Continuing Education System of the AIA verifying the completion of the continuing education courses;
- V. **That** in the event the terms and conditions of this Consent Order are not met by the Respondent, the Board shall immediately suspend the Respondent’s architect’s license, without a hearing on the suspension, and that the suspension will continue until such time as the Respondent evidences compliance with the terms of this Consent Order, and that the National Council of Architectural Registration Boards be notified of the suspension of license; and,
- VI. **That** the records of the Board shall reflect that this matter was resolved with this Consent Order.

Signatures on File