

**BEFORE THE BOARD OF GOVERNORS
OF LICENSED ARCHITECTS, LANDSCAPE ARCHITECTS
AND REGISTERED INTERIOR DESIGNERS OF OKLAHOMA
STATE OF OKLAHOMA**

IN THE MATTER OF THE COMPLAINT
AGAINST:

Case No. 2014-512

DESIGN-BUILD EVOLUTIONS LLC
P/K/A ARCHITECT EVOLUTIONS, LLC
C/O BARRY WILLIAMS
611 EAST 4TH STREET
TULSA, OK 74120

AND

BARRY WILLIAMS
611 EAST 4TH STREET
TULSA, OK 74120,

Respondents.

CONSENT ORDER

COMES NOW the Complainant, the Board of Governors of Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma (the "Board") and Respondents, Design-Build Evolutions LLC, p/k/a Architect Evolutions, LLC, and Barry Williams ("Mr. Williams")(collectively, the "Respondents") state as follows:

FINDINGS OF FACTS

For the purposes of the entry of this Consent Order, the following facts are hereby stipulated to by the parties and adopted by the Board:

1. On February 9, 2014, Mr. Williams filed with the Oklahoma Secretary of State to establish Articles of Organization of Architect Evolutions, LLC.

2. On December 22, 2016, Mr. Williams filed an Amended Certificate of Limited Liability Company, changing the name of Architect Evolutions, LLC to Design-Build Evolutions, LLC.

3. From February 9, 2014 to December 22, 2016, Respondents did not possess a valid certificate of authority to practice Architecture within the state of Oklahoma nor a license to practice Architecture in the state of Oklahoma.

4. Respondents Design-Build Evolutions, LLC, p/k/a Architect Evolutions, LLC, violated 59 Okla. Stat. § 46.8a by holding itself out, through its entity name, as being able to practice Architecture within the state of Oklahoma without possessing a valid certificate of authority to do so from February 9, 2014 to December 22, 2016.

CONCLUSIONS OF LAW

5. The Board of Governors of Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma has jurisdiction of this case pursuant to:

- a. Oklahoma State Architectural and Registered Interior Designers Act, 59 Okla. Stat. §46.1 et. seq. (the "Act").
- b. Rules of the Board as recorded in the Oklahoma Administrative Code 55:10-1-1 (the "Rules").

6. Respondents were properly notified of potential violation, and acknowledged its right to counsel.

7. Respondents have made no objection to the timeliness of the notice or to the specificity of the statement of the potential violation.

8. The Findings of Facts stipulated to by Respondents, if proven, constitute violations of the State Architectural and Registered Interior Designers Act and the Rules of the

Board as recorded in the Oklahoma Administrative Code 55:10, pertaining to the professional practice of architecture and registered interior design upon which the Board may take disciplinary action against Respondents.

9. Respondents, without an admission of guilt and in lieu of a proceeding of a formal disciplinary action, hereby agree that the Board may enter a final order against them as set forth below.

10. Pursuant to (OAC) 55:10-15-9(4), the Secretary-Treasurer has the authority to seek informal resolution of matters referred to the Board.

11. Pursuant to (OAC) 55:10-15-10, the Secretary-Treasurer submits the following Consent Order to the Board for approval of the informal resolution and final disposition of this matter.

CONSENT

Design-Build Evolutions, LLC, p/k/a Architect Evolutions, LLC, and Barry Williams, by affixing their signatures hereto, acknowledges that:

12. Respondents understand this Consent Order is subject to the approval of the Board and has no force and effect until a final decision based upon it is rendered by the Board.

13. Respondents have been specifically advised to seek the advice of counsel prior to signing this Consent Order, and

14. Respondents acknowledge that they have the following rights, among others:

- a. The right to a formal fact-finding hearing before the Board;
- b. The right to reasonable notice of said hearing;
- c. The right to compel the testimony of witnesses;
- d. The right to cross-examine witnesses against themselves;

- e. The right to obtain judicial review of the Board's decisions; and,
- f. The right to counsel.

15. Respondents waive all such rights to a formal hearing as set forth above in paragraph 15.

16. Respondents understand in order to make a decision relative to approving this Consent Order discussions must take place between Board members, Board Staff and Board Counsel. These discussions may include the Board's review of any and all previously enumerated exhibits or referenced project materials. Respondents understand that these discussions will take place at the Board's next regularly scheduled meeting in Oklahoma City, Oklahoma. Respondents understand they have the right to be present when this matter is discussed, but hereby waive that right.

17. Respondents, for the purpose of avoiding further administrative action with respect to this cause, execute this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

18. Respondents expressly waive all further procedural steps, and expressly waive all rights to seek judicial review or to challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the final decision of the Board incorporating said Consent Order.

19. This Consent Order contains the entire agreement between the parties. Respondents are not relying on any other agreement or representation of any kind, verbal or otherwise.

20. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Consent Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

21. This Consent Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Consent Order may not be altered, amended, modified, supplemented or otherwise changed except by a writing executed by an authorized representative of each of the parties.

22. Respondents consent to the entry of this Consent Order.

ORDER

In accordance with the foregoing findings of facts and conclusions of law, and the agreement and consent of the Respondents IT IS THEREFORE ORDERED:

23. Respondent Design-Build Evolutions, LLC, p/k/a Architect Evolutions, LLC is REPRIMANDED by the Board for its actions in demonstrating to the general public its ability the ability to practice Architecture within the state of Oklahoma without a valid certificate of authority to do so; and

24. Respondents are jointly assessed a civil penalty in the amount of two thousand and five hundred dollars (\$2,500.00), which shall be paid within thirty (30) days from the date of the entry of this Consent Order.

DISCLOSURE

Pursuant to the Oklahoma Open Records Act, 51 O.S. § 24-A.1 through 24-A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection, publication, and copying upon request, and may make any use it deems appropriate of the contents of this Consent Agreement, which shall include the Board's ability to share the content of this Consent Agreement with any state or federal governmental or professional board or organization, publication of a summary in the Board newsletter, posting on the Board website, reporting to state and national databanks, including databanks maintained by associations to which the Board is a member.

[Signature page to follow]

DESIGN-BUILD EVOLUTIONS, LLC, P/K/A ARCHITECT EVOLUTIONS, LLC

Signature: _____

By: _____

Title: _____

Date: _____


BARRY WILLIAMS
8/OCTOBER/2019

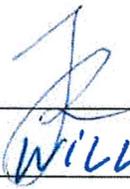
BARRY WILLIAMS

Signature: _____

By: _____

Title: _____

Date: _____


BARRY WILLIAMS
9/OCTOBER/2019

CERTIFICATION OF BOARD ATTORNEY

I believe this Consent Order to be in the best interests of the Board of Governors of Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma and the State of Oklahoma for the violations as alleged in the Formal Notice of Charges.

Dated this 6th day of November, 2019.



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***Attorneys for Board of Governors of Licensed
Architects, Landscape Architects and
Registered Interior Designers of Oklahoma***

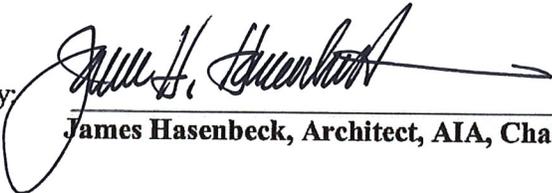
ORDER OF THE BOARD

NOW on this 6th day of NOVEMBER, 2019, Respondents have agreed voluntarily, with knowledge of their rights under law, to the entrance of this Consent Order for their purported actions which, if proven, violate the State Architectural and Registered Interior Designers Act as defined in 59 Okla. Stat. §46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq. It further appears that the foregoing Consent Order is just and equitable in order to safeguard life, health, and property, and to promote the public welfare in the State of Oklahoma.

IT IS THEREFORE ORDERED that the Respondents' stipulations to the alleged violations of the State Architectural and Registered Interior Designers Act as defined in 59 Okla. Stat. §46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq. are accepted, and the above Consent Order incorporated herein shall be the order of the Board of Governors of Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma.

Dated this 6th day of NOVEMBER, 2019.

BOARD OF GOVERNORS OF LICENSED
ARCHITECTS, LANDSCAPE ARCHITECTS
AND REGISTERED INTERIOR DESIGNERS OF
OKLAHOMA

By: 
James Hasenbeck, Architect, AIA, Chair