



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

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OKLAHOMA BOARD
OF ARCHITECTS

ATTORNEY GENERAL OPINION
2018-435A

Leslie Hanska, Executive Director
Oklahoma Board of Governors of Licensed Architects,
Landscape Architects and Registered Interior Designers
220 NE 28th Street, Suite 150
Oklahoma City, OK 73105

November 15, 2018

Dear Executive Director Hanska:

This office has received your request for a written Attorney General Opinion regarding action that the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma intends to take with respect to Fergon Architects, LLC ("Fergon"). Fergon is unlicensed by the Board and has falsely stated its qualifications and the kind of services it is authorized to provide. The Board proposes to fine Fergon \$1,000.

The State Architectural and Registered Interior Designers Act authorizes the Board to impose civil penalties for violations of the Act or any of its rules. 59 O.S.Supp.2017, § 46.18. The Act forbids "the practice of architecture, . . . use of the title 'Architect', . . . [or any other displays] tending to indicate that such person is an architect or is practicing architecture, unless the person is licensed under the provisions of [the Act]." *Id.* § 46.8a(A). Further, the Board may fine "[a]ny person or entity who has . . . violated any provision of the . . . Act . . . not more than One Hundred Dollars (\$100.00) for each day that said violation continues." *Id.* § 46.18. The Board may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the Board of Governors of Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma has adequate support for the conclusion that this action advances the State's policy to ensure that architects are properly licensed when providing services.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL

**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:

FERGON ARCHITECTS, LLC
C/O PAUL T. PAVLOU
1110 LAKE COOK ROAD, SUITE 155
BUFFALO GROVE, IL 60089

Respondent.

Case No. 2018-547

ORDER

On the 17th day of October 2018, this matter came for hearing before the Board of Governors of Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma (the "Board"). The Board, having considered the Complaint, and the evidence and testimony presented at the hearing, and being fully advised in the matter, finds that the respondent, Fergon Architects, LLC has violated provisions of the State Architectural and Registered Interior Designers Act as defined in 59 Okla. Stat. §46.1 *et. seq.*, (the "Act"), and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 *et. seq.* (the "Rules") Specifically, the board finds:

Count I

Respondent violated the State Architectural and Registered Interior Designers Act, 59 Okla. Stat. §§ 46.1 *et seq.*, by advertising the ability to provide architectural services to the general public through the use of the entity name "Fergon Architects, LLC" but is not licensed and does not possess a Certificate of Authority to practice Architecture within the State of Oklahoma.

IT IS THEREFORE ORDERED

1. Respondent is assessed a civil penalty in the amount of \$1,000.00 which shall be paid within thirty (30) days from the date of the entry of this Order; and

2. Pursuant to the Oklahoma Open Records Act, 51 Okla. Stat. §§ 24-A.1-24-A.21, the signed original of this Order shall remain in the custody of the Board as a public record and shall be made available for public inspection and copying upon request.

Dated this 19th day of November, 2018.

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

By: 

M. Bradley Gaskins, Chair

CERTIFICATION OF BOARD COUNSEL

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

Dated this 20th day of November, 2018.

By: 

Michael D. McClintock, OBA #18105
Russell C. Lissuzzo, III, OBA #33221
McAfee & Taft
A Professional Corporation
10th Floor, Two Leadership Square
211 North Robinson
Oklahoma City, OK 73102-7103
Telephone: (405) 235-9621
Facsimile: (405) 235-0439

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